FIRST NATIONS WATER RIGHTS IN BRITISH COLUMBIA

A Historical Summary of the rights of the Toosey First Nation

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FIRST NATIONS WATER RIGHTS IN BRITISH COLUMBIA:

A Historical Summary of the rights of the Toosey First Nation

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Gary Robinson
Project Manager
Water Management Branch

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FIRST NATIONS WATER RIGHTS REPORT

BAND: Toosey

ADDRESS: General Delivery, P.O. Box 76, Grasmere, B.C.

CHIEF: Francis Laceese

PHONE: 659-5655 **FAX:** 659-5601

AFFILIATION: Carrier-Chilcotin Nation

LOCATION:

The Toosey Indian Band occupy 6381.27 acres (2582.5 hectares) in reserve lands. The Reserves are:

Toosey No. 1	Toosey No. 2
Toosey No. 1A	Toosey No. 3

Of four reserves records indicate that water rights have been issued on Toosey No. 1 (2339.1 hectares), Toosey No. 1A (11.8 hectares) and Toosey No. 2 (266.6 hectares).

According to the latest population figures compiled by the Ministry of Finance, the Toosey Band has 94 persons living on the reserve as registered members. The total population of the Band, including registered and non-registered members living on- and off-reserve, is reported as 201.

The Toosey Band reserves are located in the Interior Plateau region of the province and are classified as occurring in the Sub-Boreal Spruce Biogeoclimatic Zone. The zone occurs in the central interior of the province and is characterized by gently rolling plateaus. The reserves range in elevation from 2,500 to 3,600 feet above sea level, and experience a climate in which average daily temperatures range from lows of -10 degrees centigrade in January, to highs of 20 degrees centigrade in July. Average annual rainfall for the area totals less than 30 centimetres.

Water courses of significance include:

- Davies Creek - flows southeast through the centre of Toosey Reserve No. 2.

- Kathleen's Spring - located on the western border of Toosey Reserve No. 1A.
- Mackin Creek - situated northwest of Toosey Reserve No. 1, and flows in a northeasterly direction before it discharges into the Fraser River.
- Riske Creek - flows southeast through Toosey Reserve No. 1, eventually draining into the Fraser River.
- Ross Lake - situated immediately southeast of the Mackin Creek point of origin.
- Taylor Creek - flows in a northeasterly direction merging eventually with Mackin Creek.
- Toosey Spring - located just north of the portion of Riske Creek which flows through Toosey Reserve No. 1.

WATER ALLOCATIONS:

The water rights of the Toosey Band have been determined by five actions of government over the years:

1) Allotments by Indian Reserve Commissioners.

   Following confederation, the Province and the Dominion established an Indian Reserve Commission. The Commission was responsible for reserving lands for the Indians and for facilitating the transfer of the reserve lands to Dominion authority. In setting apart lands for reserves, the Reserve Commissioners made it their practice to allot water with the lands. This practice was unique among Indian Reserves in Canada and the authority of the Commissioners to allot water rights is disputed by the Province.

2) Lieutenant Governor-in-Council approval, by issue of Orders-in-Council, granting water rights.

3) Determinations of the Board of Investigation under the *Water Act, 1914* in response to claims made by the Department of Indian Affairs. Determinations often recommended the issue of water licenses.

4) The granting of water licenses in response to Federal Government applications, requesting authorization for the use of water on reserve lands.

5) Actions to amend, cancel or record as abandoned licensed rights, pursuant to provisions in the *Water Act*.

HISTORY, CURRENT STATUS AND NOTES:

The history of water rights, the current status of rights and notes for the Toosey Band with respect to Davies Creek, Kathleen's Spring, Mackin Creek, Riske Creek, Ross Lake, Taylor Creek and Toosey Spring are as follows:

Davies Creek

History:

Nov 10, 1922	In accordance with an application made by A. O. Daunt, as Agent for the Toosey Band, the Comptroller of Water Rights issued Conditional Water License 6610. The license was given a precedence date of August 16, 1922 and authorizes the diversion of 135 acre feet per year (from October 1 to June 15) from Davies Creek for irrigation purposes. The appurtenant lands are specified as Toosey Reserve No. 2.
Mar 30, 1928	The Comptroller of Water Rights issued Final Water License 6317 (in substitution of Conditional Water License 6610) to the Superintendent General of Indian Affairs on behalf of the Toosey Band. The license has a date of precedence of August 16, 1922 and authorizes the diversion of 90 acre feet per annum (from October 1 to June 15) from Davies Creek for irrigation purposes. The appurtenant lands are specified as Toosey Reserve No. 2, of which 90 acres may be irrigated.

Current Status:

There are currently 3 licenses active on Davies Creek, one of which is held by the Toosey Band. Of these licenses:

- 3 authorize the diversion of water for irrigation purposes, for a total of 94.6 acre feet of water per year.

The Toosey Band holds Final Water License 6317, which is third in priority on Davies Creek.

The Water Survey of Canada has no records of streamflow of Davies Creek, and there is no current information on water availability.

Notes:

1. The issue of Final Water License 6317 (which substituted Conditional Water License 6610) resulted in the reduction of licensed water rights for the Toosey Band.

Kathleen's Spring

History:

Nov 22, 1989 The Comptroller of Water Rights issued Conditional Water License 66806 to the Toosey Band. The license has a date of precedence of April 4, 1986 and authorizes the diversion of 5 acre feet per year (from April 1 to September 30) for irrigation purposes, and 500 gallons per day for industrial (stockwatering) purposes, from Kathleen's Spring. The appurtenant lands are cited as Toosey Reserve No. 1 and No. 1A, of which 2.5 acres may be irrigated.

In conjunction with Conditional Water License 66806, Permit Over Crown Lands 16840 was granted to the Toosey Band. Permit No. 16840 authorizes the occupation of Crown Land for the construction and maintenance of the works required under Conditional License 66806.

Current Status:

Conditional Water License 66806, held by the Toosey Band, is the only active license on Kathleen's Spring.

The Water Survey of Canada has no records of streamflow for Kathleen's Spring, and no current information regarding water availability on the Spring exists.

An Engineer's Report, dated January 22, 1988 stated that:

> *"the quantity* [of water] *applied for has been reduced to 5 acre feet per annum and 500 gallons per day, from 50 acre feet, because the source does not appear to be capable of producing 50 acre feet per annum as applied for."*

Notes:

1. The allotment of water authorized under Conditional Water License 66806 is less than the amount of water originally applied for by the Toosey Band.

Mackin Creek

History:

Jul 13, 1887 A Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Toosey Band:

> *"Three hundred inches* from Macken Creek to be diverted and added to the water supply in Riskie Creek."*

* Note: The reference to an inch of water is understood to be a "miner's inch" of water. The Water Act of 1914 defined a miner's inch as being equal to a flow of .028 cubic feet per second. This rate of flow calculated over a 120 day irrigation season, converts to an equivalent of 6.664 acre feet for each miner's inch.

Jan 9, 1891 On the recommendation of the Assistant Commissioner of Lands & Works, the Lieutenant Governor ordered that for Toosey Reserve No. 2:

> *"Two hundred inches* of water from Mackin Creek, to be diverted at a point bar near the head-waters of said Creek, about 18 miles from the Toosey Reserve, to be conveyed by a ditch and dry water courses into Riske Creek, and diverted again at same point as* [Toosey] *No. 1 ."*

* Note: The reference to an inch of water is understood to be a "miner's inch" of water. The Water Act of 1914 defined a miner's inch as being equal to a flow of .028 cubic feet per second. This rate of flow calculated over a 120 day irrigation season, converts to an equivalent of 6.664 acre feet for each miner's inch.

Nov 3, 1924 At a final hearing of the Board of Investigation, acting pursuant to the *Water Act of 1914*, the Board determined that a valid water record affecting the claim of the Department of Indian Affairs to rights to the use of the waters of Mackin Creek, was made under authority of an Act passed prior to the 12th day of March, 1909. The Order of the Board, numbered 7064 set out that a conditional license should be issued which would:

(i) provide for the diversion of water from Mackin Creek;
(ii) take precedence from November 27, 1890; and
(iii) authorize the diversion of a maximum of 1344 acre feet per year for the irrigation of 448 acres of Toosey Reserve No. 1, provided that 8,000 gallons per day, year-round could be utilized for domestic use.

The Comptroller of Water Rights issued Conditional Water License 7807, which embodied the terms and conditions set out in Board Order 7064.

Note: The volume of water allocated under Conditional Water License 7064 corresponds to the allocation administered under the 1891 Order in Council.

Dec 17, 1934	The Comptroller of Water Rights issued an to Order to grant an extension of time for the completion of works authorized under Conditional Water License 7807, to December 31, 1935.
Feb 15, 1936	The Comptroller of Water Rights issued an to Order to grant an extension of time for the completion of works authorized under Conditional Water License 7807, to December 31, 1937.
Feb 2, 1938	In a letter addressed to the Dominion Water and Power Bureau, the Comptroller of Water Rights confirmed the February 1, 1938 abandonment of Conditional Water License No. 7807.
Oct 17, 1938	The District Chief Engineer notified the Comptroller of Water Rights that a misunderstanding in connection with the development required under Conditional Water License 7807, had occurred, and recommended that the license be reinstated.
Oct 20, 1938	The Comptroller of Water Rights notified the District Chief Engineer, that he had no authority to reinstate Conditional License 7807, because the license "had been removed from the registers".
Feb 5, 1981	A letter was received by the Comptroller regarding the cancellation of Conditional License 7807. The Department of Indian Affairs claimed that the License should not have been canceled. In support of this claim the Department presented as evidence, pages 954 and 955 of a Royal Commission of Indian Affairs.

The Deputy Comptroller of Water Rights ruled in favor of the October 20, 1938 ruling of the Comptroller of Water Rights. Conditional License 7807 was to remain "abandoned" for the reason that:

> *"The report of the Royal Commission on Indian Affairs does not allow the right to the water by the Indians in perpetuity as it does not have precedence over the Water Act."*

Mar 12, 1986 A letter was sent to the Comptroller of Water Rights to notifying the Ministry that a Statement of Claim had been filed by the Toosey Band with regard to their water rights on Mackin and Riske Creeks.

July 14, 1986 The Deputy Comptroller of Water Rights stated that all water license applications were to be held pending the outcome of the Statement of Claim filed in the Federal Court, Trail Division by the Toosey Band, with regard to the water rights and records of Mackin and Riske Creeks.

Current Status:

There are currently 27 licenses on Mackin Creek, none of which are held by the Toosey Band. Of these licenses:

- 8 authorize the use of small quantities of water for irrigation purposes, ranging from 6.4 to 75 acre feet.
- 11 authorize the use of larger quantities of water for irrigation purposes, ranging from 100 to 500 acre feet.
- 5 authorize the use of water for storage non-power purposes, ranging from 150 to 250 acre feet.
- 2 authorize the diversion of water for domestic purposes, ranging from 500 to 1,000 gallons per day.

*Note: Some licenses authorize the use or diversion of water for more than one purpose.

The Water Survey of Canada has no records of streamflow on Mackin Creek, and no current information exists regarding water availability on the Creek.

Notes:

1. The Toosey Band's prior right to water allotted by the Indian Reserve Commission has not been formally recognized by the Province.

2. Conditional Water License 7807 was recorded as abandoned. The conditions surrounding the abandonment of are unclear; it appears that the Band, and/or its representatives, were not notified or consulted regarding the abandonment. The Department of Indian Affairs requested that Conditional Water License 7807 be reinstated in 1938 but the Comptroller of Water Rights ruled that the license remain abandoned.

3. The issue regarding the Statement of Claim against the government of Canada made by the Toosey Band still remains open, and it is uncertain as to how actively this matter is being pursued at this time.

4. There are currently five outstanding applications on Mackin Creek, none of which were filed by the Toosey Band.

Riske Creek

History:

Jul 13, 1887 A Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Toosey Band:

> *"The surplus of water of Riskie Creek is preserved for the use of the Indians."*

Jan 9, 1891 On the recommendation of the Assistant Commissioner of Lands & Works, the Lieutenant Governor ordered that for Toosey No. 1:

> *"One hundred inches* of water from Riske Creek, to be diverted at a point at or near the west boundary of the Reserve."*

* Note: The reference to an inch of water is understood to be a "miner's inch" of water. The Water Act of 1914 defined a miner's inch as being equal to a flow of .028 cubic feet per second. This rate of flow calculated over a 120 day irrigation season, converts to an equivalent of 6.664 acre feet for each miner's inch.

Nov 3, 1924 At the Final Hearing of the Board of Investigation, acting pursuant to the Water Act of 1914 the Board determined that a valid water record affecting the claim of the Department of Indian Affairs to rights to the use of the waters of Riske Creek was made under the authority of an Act passed prior to the 12th day of March, 1909. The Order of the Board numbered 6226, set out that a conditional license should be issued which would:

(i) provide for the diversion of water from Riske Creek;
(ii) take precedence from the 27th day of November 1890; and
(iii) authorize the diversion of a maximum of 672 acre feet per year for irrigation purposes, provided that of this amount, 8,000 gallons a day throughout the year could also be used for domestic purposes.

The Comptroller of Water Rights issued Conditional Water License 7806, which embodied the terms and conditions set out in Board Order 6226.

Note: The volume of water allocated under Conditional Water License 7806 corresponds to the 1891 Order In Council.

Jan 20, 1938 The Comptroller of Water Rights issued Final Water License 10207 (in substitution of Conditional Water License 7806) to the Toosey Band. The license was given date of precedence of Nov 27, 1890 and authorizes the diversion of 195 acre feet a year for irrigation purpose (April 1 to September 30) from Riske Creek. Of the 195 acre feet allocated 2,000 gallons per day, year-round is authorized for domestic application. The appurtenant lands are specified as Toosey No. 1.

Feb 14, 1969 The Comptroller of Water Rights issued Final Water License 20714 to the Toosey Band. The license was given date of precedence of July 10, 1964 and authorizes the diversion of 90 acre feet per annum (April 1 to September 30) from Riske Creek for irrigation purposes. The appurtenant lands are defined as Toosey Reserve No. 1.

Aug 28, 1981 A letter was sent from The Department of Indian Affairs to the Comptroller of Water Rights regarding the Report of the Royal Commission on Indian Affairs for the Province of British Columbia - 1916. In the letter the District superintendent of reserves and trusts for the Williams Lake District stated that some of the water rights listed in the Royal Commission Report were not on file at the local Water Management office.

It is not known where the MOD Decisions highlighted in the Royal Commission Report were derived from. The original MOD could not be located over the course of research for the report. The Report states that according to a Minute of Decision rendered July 13, 1887, constituting Toosey Reserve No. 1:

> *"The surplus of water of Riskie Creek is reserved for the use of the Indians, also Three Hundred (300) inches of water from Macken Creek (a tributary of the Fraser above Soda Creek) to be diverted and added to the supply in Riskie Creek".*

Sept 9, 1981 In a letter responding to the August 28, 1981 claims of the Department of Indian Affairs to allocations made by a MOD (dated July 13, 1887) the Comptroller of Water Rights stated that the MOD allocations were covered under Board of Investigation rulings in 1923. The Comptroller contended that the Board Order 6226, which resulted in the issue of Conditional Licenses 7806 and 7807, recognized the allocations alluded to under the July 13, 1887 Minute of Decision.

The letter states that Conditional License 7807 was later registered as abandoned during a conference between the Comptroller of Water Rights and Mr. C. E. Webb of the Dominion Water and Power Bureau. This abandonment not authorized by the Indian Agent for the area and an application for re-instatement was submitted.

Oct 15, 1981 The Department of Indian Affairs, in response to the Comptroller of Water Rights letter of September 9th, 1981, stated that Conditional License 7807 may have been "arbitrarily canceled" as the Department had received no notification and had provided no authorization for the cancellation.

Further, the source of water authorized under Final License 10207 (issued in substitution for Conditional License 7806), is debated in relation to the July 13, 1887 Minute of Decision allocation.

Oct 27, 1981 The Comptroller stated that, although the abandonment of Conditional License 7807 was initially contested by the Indian Agent, rights of the Band on Mackin Creek are 'questionable' because Mackin Creek remained unused for more than forty years. According to Section 20 of the Water Act all rights not beneficially used for three years are subject to cancellation.

	There is no further evidence of correspondence between the Comptroller of Water Rights and the Department of Indian Affairs on file, regarding the Minute of Decision allocations of July 13th, 1887 in relation to Conditional Water Licenses' 7806 and 7807 and their descendants, after this date.
Mar 12, 1986	A letter was sent to the Comptroller of Water Rights to notify that a Statement of Claim had been filed by the Toosey Band in regard to their water rights on Mackin and Riske Creeks.
July 14, 1986	The Deputy Comptroller of Water Rights stated that all water license applications were to be held pending the outcome of the Statement of Claim filed in the Federal Court, Trail Division by the Toosey Band in regard to the water rights and records of Mackin and Riske Creeks.
Jul 3, 1987	A water application was made by the Toosey Band requesting a water rights permit to divert 300 acre feet of water for irrigation purposes and 100 acre feet for storage non-power purposes on Riske Creek.
Aug 5, 1987	In response to an application made by the Toosey Band, the Comptroller of Water Rights issued Conditional Water License 67503. The license has a precedence date of May 20, 1983 and authorizes the storage and diversion of 96 acre feet per year from Riske Creek for irrigation (April 1 to September 30) purposes. The water is to be stored from October 1 to June 30 at a reservoir on the creek. The appurtenant lands are defined as Toosey Reserve No. 1, of which 48 acres may be irrigated.
	In conjunction with Conditional Water License 67503, Permit Over Crown Lands No. 16676 was granted to the Toosey Band. The permit authorized the occupation of Crown Land for the construction and maintenance of works required under Conditional License 67503.
Nov 28, 1988	Based on the extent to which the rights granted under the former license were exercised, the Comptroller of Water Rights issued Conditional License 66756 (in substitution for Final License 20714) to the Toosey Band. The license has a date of precedence of July 10, 1964 and authorizes the diversion of 90 acre feet per year for irrigation purposes from Riske Creek. The appurtenant lands are defined as Toosey Reserve No. 1, of which 30 acres may be irrigated.

Nov 28, 1988

Based on the extent to which the rights granted under the former license were exercised, the Comptroller of Water Rights issued Conditional Water License 66757 (in substitution for Final Water License 10207) to the Toosey Band. The license has a date of precedence of November 27, 1890 and authorizes the diversion 195 acre feet per year (April 1 to September 30) for irrigation purposes, and 2,000 gallons per day, year-round for incidental industrial purposes from Riske Creek. The appurtenant lands are specified as Toosey Reserve No. 1, of which 64.5 acres may be irrigated.

In conjunction with Conditional Water Licenses 66756 and 66757, Permit Over Crown Lands 16826 was granted to the Toosey Band. This permit authorizes occupation of Crown Land for the construction and maintenance of works required under Conditional Licenses 66756 and 66757.

Sept 13, 1990

In response to an application made by the Toosey Band, the Comptroller of Water Rights issued Conditional Water License 69099. The license has a precedence date of May 20, 1983 and authorizes the diversion and storage of 300 acre feet per year from Riske Creek for irrigation (from April 1 to September 30) and storage (October 1 to June 30) purposes. The appurtenant lands are defined as Toosey Reserve No. 1, of which 150 acres may be irrigated.

To facilitate the construction of works required under Conditional Water License 69099, Permit Over Crown Lands 16914 was granted to the Toosey Band. This permit authorized occupation of Crown Land for the construction and maintenance of works.

Current Status:

There are currently twenty licenses on Riske Creek, four of which are held by the Toosey Band. Of these licenses:

- 11 authorize the use of small quantities of water for irrigation purposes, ranging from 1.0 to 96 acre feet.
- 6 authorize the use of larger quantities of water for irrigation purposes, ranging from 160 to 463.5 acre feet.
- 5 authorize the use of water for storage non-power purposes, ranging from 96 to 300 acre feet.

- 5 authorize the diversion of water for domestic purposes, ranging from 500 to 1,000 gallons per day, year-round.
- 1 authorizes the use of 2,000 gallons per day of water for stockwatering purpose.

*Note: Some licenses authorize the use or diversion of water for more than one purpose.

The Toosey Band holds Conditional Licenses 66757, 66756, 67503 and 69099, which are fifth, eighteenth, nineteenth, and twentieth in priority on Riske Creek.

An Engineer's Report, date July 11, 1990 stated that a portion of Riske Creek is fully recorded except with storage in support. More specifically, it noted that:

> *"The drainage area of Riske Creek has been divided into sub-basins. Some of these have been determined to be fully recorded..."*

The Water Survey of Canada has no records of streamflow on Riske Creek, and there is no other current information on water availability.

Notes:

1. The Toosey Band's water rights, as allocated by the Indian Reserve Commission, have not been formally recognized by the Province. The extent of the Indian Reserve Commission allocations is unclear (refer to correspondence on File No. 241151 from August 28, 1981 - October 27, 1981)

3. A Statement of Claim filed against the government of Canada by the Toosey Band with regard to the Bands' water rights of Riske and Mackin Creeks has not been resolved. It is uncertain how actively the case is being pursued at this time.

3. The issue of Final Water License 10207 (which substituted Conditional Water License 7807) resulted in the reduction of licensed water rights for the Toosey Band. Since this reduction however, additional licenses (with later priority dates) have been issued on Riske Creek.

4. There is currently one outstanding application for Riske Creek. The application was filed by the Toosey Band in 1987 and requests 300 acre feet in support of irrigation.

Ross Lake

History:

Jun 16, 1986 The Toosey Band applied for a water license to divert and store 600 acre feet of water from Ross Lake. Ross Lake flows southeast to Taylor Creek and discharges into Mackin Creek. The water would be used on Toosey Reserve No. 1 and would be stored for irrigation purposes.

Current Status:

Currently there are no water licenses on Ross Lake. The only application on this water source was made by the Toosey Band.

The Water Survey of Canada has no records for Ross Lake. No other current information with regards to water availability on the Creek could be located.

Notes:

1. The application filed by the Toosey Band for water rights on Ross Lake in 1986 is still outstanding.

Taylor Creek

History:

July 4, 1986 The Toosey Band filed an application for a water license requesting authorization for the use of 450 acre feet of water for irrigation purposes from Taylor Creek. The water would be for use on Toosey Reserve No. 1.

Current Status:

There are currently two licenses on Taylor Creek, none of which are held by the Toosey Band. Of the licenses:

- 1 authorizes the use of water for irrigation purposes, for 463.5 acre feet per annum.

- 1 authorizes the diversion of water for storage non-power purposes, for 200 acre feet per year.
- 1 authorizes the diversion 1,000 gallons of water per day for domestic purposes, year round.

* Note: Some licenses authorize the use or diversion of water for more than one purpose.

The Water Survey of Canada has no records of streamflow of Taylor Creek.

Notes:

1. The application filed by the Toosey Band in 1986, for water rights on Taylor Creek is still outstanding.

Toosey Spring

History:

Oct 1, 1968 The Comptroller of Water Rights issued Conditional Water License 33640 to the Superintendent General of Indian Affairs of the Toosey Band. The license has a date of precedence of June 27, 1966 and authorizes the diversion of 1,000 gallons of water per day from Toosey Spring for the entire year. The water is to be used on Toosey Reserve No. 1.

Current Status:

Conditional Water License 33640, registered to the Toosey Band, is the only active license on Toosey Spring.

An Engineer's Report, dated August 1, 1966 stated that:

> *"The inhabitants of the Indian Village report that it takes 24 hours to fill the 1,000 gallon tank at the intake, if the distribution system is shut off. It is therefore recommended that this source be regarded as fully recorded following the granting of this application."*

The Water Survey of Canada has no records of streamflow of Toosey Spring. No current information on water availability on the Spring was located over the course of this study.

Notes:

1. There are no additional notes with respect to the rights of the Toosey Band on Toosey Spring.

OTHER INFORMATION:

Groundwater Records:

A review of well records maintained by the MELP - Groundwater Section found that four wells have been reported on Toosey Reserve No. 1. The reports indicate that the wells yield small amounts of water, ranging from 5 gallons per minute to 20 gallons per minute. The extent to which the wells are currently utilized is unknown. Further details have been appended to the report.

As the provision of information to the Groundwater Section is voluntary, this review should not be assumed to be complete.

Alternate Water Sources

The proximity of the Thompson River to Toosey Reserve No. 3 makes it a possible source of water, should the need arise.

At this time the potential for water supply via connection to a municipal water system is limited as there are no systems in the proximity of the Toosey Reserves.

ATTACHMENT 1

Summary of Water Records

Toosey First Nation

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC	Comments
Riske Creek	1983/05/20	Toosey #1	5000153	CL 67503	Current		96 AF/Irrigation 96 AF/Storage	CL 67503: **Priority 19 -** Riske Creek.
Riske Creek	1983/05/20	Toosey #1	5000153	CL 69099	Current		300 AF/Irrigation 300 AF/Storage	CL 69099: **Priority 20 -** Riske Creek. Engineers Report (July 1990): "Riske Cr. divided into 'sub-basins'; some determined **'FULLY RECORDED'**."
Riske Creek	1987/07/03	Toosey #1	5000652	Z101470	Application		300 AF/Irrigation 100 AF/Storage	Z101470: Refer to above comment.
Ross Lake	1986/06/16	Toosey #1	5000557	Z101766	Application		600 AF/Storage (Storage for FL's 20714 and 10207)	
Taylor Creek	1986/07/04	Toosey #1	5000559	Z101769	Application		450 AF/Irrigation	
Toosey Spring	1966/06/27	Toosey #2	0270110	CL 33640	Current		1,000 GAD/Domestic	CL 33640: **Priority 1 -** Toosey Spring. Engineers Report (Aug 1966): "Recommended regard [Toosey Spring] **'FULLY RECORDED'**."

Summary of Water Records

Toosey First Nation

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC	Comments
Riske Creek	1887/07/13	Toosey #1		MOD			*"The surplus of water of Riskie Creek is preserved for the use of the Indians".* (AGBC #562)	Water Source: "**Riskie Creek**" as referred to in MOD documentation is believed to be "**Riske Creek**" today. Water Allocation: Those made under authority of **Indian Reserve Commission** - NOT formally recognized by Province.
Riske Creek	1890/11/27	Toosey #1	0241151	CL 7806	Superceded	FL 10207	8,000 GAD/Domestic 672 AF/Irrigation	CL 7806: Based on **Board Order 6226**; The volume of water set out formally recognizes the **1891 OIC Allocation.**
Riske Creek	1890/11/27	Toosey #1	0241151	FL 10207	Superceded	CL 66757	2,000 GAD/Domestic 195 AF/Irrigation	
Riske Creek	1890/11/27	Toosey #1	0241151	CL 66757	Current		195 AF/Irrigation 2,000 GAD/Industrial	CL 66757: **Priority 5** - Riske Creek.
Riske Creek	1964/07/10	Toosey #1	0258122	FL 20714	Superceded	CL 66756	90 AF/Irrigation	
Riske Creek	1964/07/10	Toosey #1	0258122	CL 66756	Current		90 AF/Irrigation	CL 66756: **Priority 18** - Riske Creek.

Summary of Water Records

Toosey First Nation

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC	Comments
Mackin Creek	1890/11/27	Toosey #1	5000153	CL 7807	Abandoned		8,000 GAD/Domestic 1,344 AF/Irrigation	CL 7807: Embodied terms set out in **Board Order 7064**. Abandonment: Uncertain circumstances regarding abandonment; Indian Affairs requested **"reinstatement" - denied Feb 1981.**
Riske Creek	1887/07/13	Toosey #1		MOD			*"The surplus of water of Riskie Creek is preserved for the use of the Indians".* (AGBC #562)	Water Source: **"Riskie Creek"** as referred to in MOD documentation is believed to be **"Riske Creek"** today. Water Allocation: Those made under authority of **Indian Reserve Commission** - NOT formally recognized by Province.

Summary of Water Records

Toosey First Nation

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC	Comments
Davies Creek	1922/08/16	Toosey #2	0042076	CL 6610	Superceded	FL 6317	135 AF/Irrigation	
Davies Creek	1922/08/16	Toosey #2	0042076	FL 6317	Current		90 AF/Irrigation	FL 6317: **Priority 3 -** Davies Creek.
Kathleen's Spring	1986/04/04	Toosey #1 Toosey #1A	5000532	CL 66806	Current		5 AF/Irrigation 500 GAD/Stockwatering	CL 66806: **Priority 1 -** Kathleen's Spring.
Mackin Creek	1887/07/13	Toosey #1		MOD			*"300 inches from Macken Creek to be diverted and added to the supply of Riskie Creek"* . (AGBC #562)	Water Source: "**Macken Creek**" as referred to in MOD documentation is thought to be "**Mackin Creek**" today. Water Allocation: Those made under authority of **Indian Reserve Commission** - NOT formally recognized by Province.
Mackin Creek	1891/01/09	Toosey #2		OIC			*"200 inches from Mackin Creek"*. (AGBC #562)	

LEGEND:

License Types (Document Types)
CL: Conditional License
FL: Final License
Z: Application

Mechanisms for Allocation (Document Type)
OIC: Order-in-Council (as issued by the Lieutenant Governor in Council)
MOD: Minute of Decision (as recorded under the Indian Reserve Commission)
IRC: Indian Reserve Commission
AGBC: Attorney Generals Office of BC (followed by File #)

Allotment Units
GAD: Gallons a day
AF: Acre feet
CFS: Cubic feet per second

ATTACHMENT 2

Minutes of Decision.

Toosey Indians

No 1.

A Reserve of five thousand, seven hundred, and sixty (5760) acres, situated on Riskie Creek, Chilcotin, about four miles from its mouth.

Commencing at a point eighty (80) chains West of the Southwest corner of Lot 66 Cariboo district, and running South forty (40) chains; thence West two hundred, and forty (240) chains; thence North two hundred, and forty (240) chains; thence East two hundred, and forty (240) chains, and thence South two hundred (200) chains to the place of commencement.

The surplus water of Riskie creek is reserved for the use of the Indians.

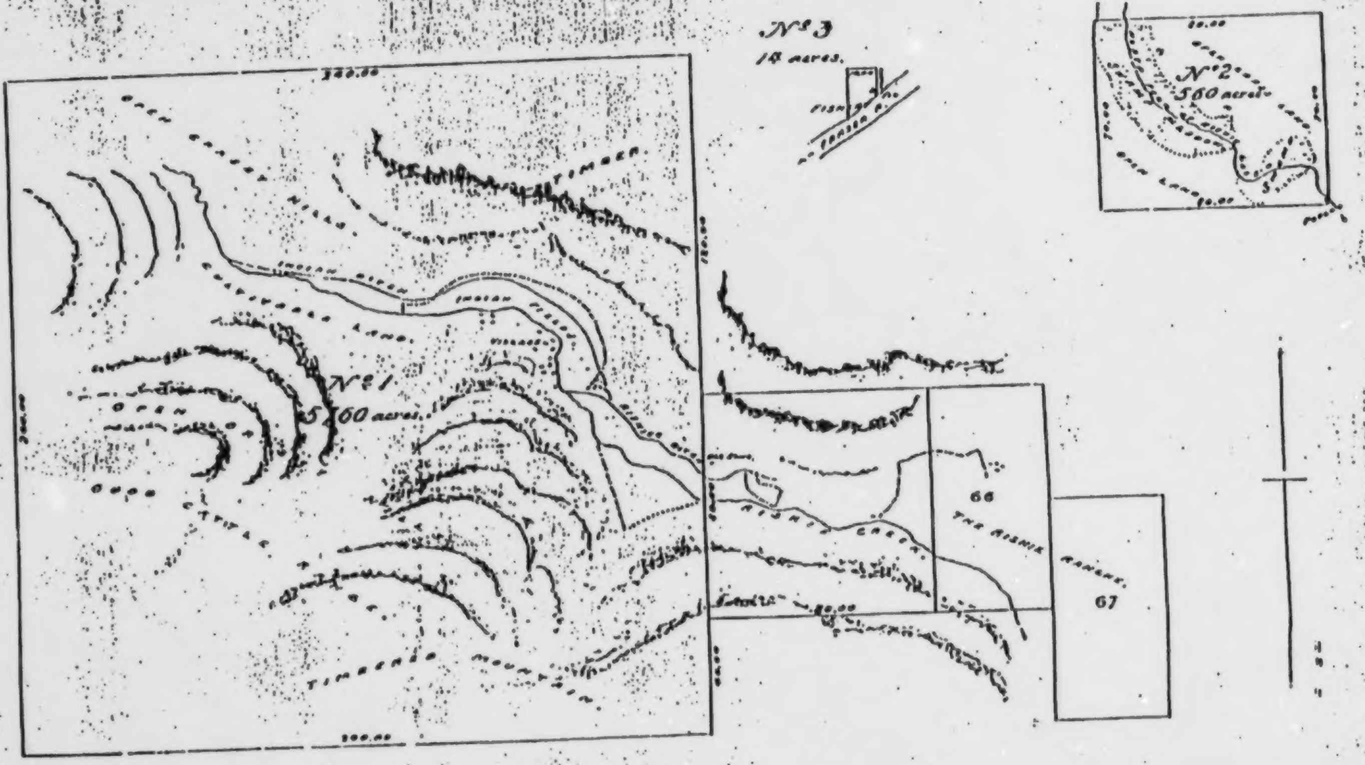
Also three hundred (300) inches from "Macken" creek (a tributary of the Fraser river, above Soda Creek) to be diverted, and added to the supply in Riskie creek.

No 2.

TOOSEY INDIANS.

CHILCOTIN.

SCALE 1 INCH - 40 CHAINS.



8

8

AGBC 562

On a Memorandum from the Honourable the Acting Chief Commissioner of Lands & Works, dated 31st December 1890, enclosing a report from the Assistant Commissioner for Lillooet District upon the application of Mr Meason, Indian Agent, for various Water Records for the use of the Indians under his supervision.

And recommending that the Commissioner be authorized to grant the application for Water Records in those instances where no objection exists.

Report 405/90 L&W
returned to L&W dept
10/1/91

The Committee Advise approval

Chas. E. Pooley

President of Executive Council

Approved 9th January 1891

Hugh Nelson

Lieutenant Governor

S

Hugh Nelson

Government House, Victoria,

9th January 1891.

On the recommendation of the Honourable the Acting Chief Commissioner, of Lands and Works,

His Honour the Lieutenant-Governor, by and with the advice of the Executive Council, has been pleased to order, and it is hereby ordered, that the Assistant Commissioner of Lands and works for Lillooet District, be, and is hereby, authorized to grant the application of Mr William Laing Meason Indian Agent, for Water Records for the use of the Indian of the Williams Lake Indian Agency,

provided there be no adverse reasons ag the issue of said Records. -

Jno. Robson

Clerk, Executive Council. -

[illegible] to the Chief Commissioner of Lands and Works for permission to divert for irrigation the undermentioned water upon or near to the named Reserves, for the benefit of the Indians belonging to said Reserves and for a term of ninety years.

Cariboo District.

[illegible]elle Reserve:

[illegible] inches of water from a small creek crossing the waggon road at the head of Rich Bar Reserve, to be conveyed on to said Reserve.

Alexandria Reserve:

No. 1.—One hundred inches of water from the 4-Mile Creek, to be diverted on the top of the mountain and conveyed on to the Reserve by a proposed ditch.

No. 2.—Twelve inches of water from a spring upon the Reserve, on the right bank of the Fraser River, and one mile west of the Hudson Bay's old Fort.

Soda Creek Reserve:

No. 1.—One hundred inches of water from Little [illegible] Creek, to be diverted at the present ditch-head, above the Mud Lake Road, and conveyed by the present ditch on to the Reserve.

No. 2.—Twelve inches of water from a spring upon Reserve eight miles south of Soda Creek, on left bank of Fraser, to be used on said Reserve.

No. 3.—One hundred inches of water from the creek which crosses the waggon road at or near the 170-Mile post, to be diverted at a point above the road and conveyed by a proposed ditch, about two miles long, on to the Deep Creek Reserve.

Toosey Reserve, Chilcotin:

No. 1.—One hundred inches of water from Riske Creek, to be diverted at a point at or near the west boundary of the Reserve.

No. 2.—Two hundred inches of water from Mackin Creek, to be diverted at a point near the head-waters of said Creek, about 18 miles from the Toosey Reserve, to be conveyed by a ditch and dry water courses into Riske Creek, and diverted again at same point as No. 1

Stone Reserve, Chilcotin:

One hundred inches of water from the creek which bounds the Reserve on the west, to be diverted at the present ditch head

Anahem Reserve, Chilcotin:

No. 1.—Two hundred inches of water from Big Flat Creek, which flows through the Reserve.

No. 2.—One hundred inches of water from a creek which flows through the Reserve at the eastern end, about one mile from No. 1.

Lillooet District.

Kanim Lake Reserve:

One hundred inches of water from a creek on the mountain bounding the Reserve on the north, to be diverted at the head of the present ditch.

Alkali Lake Reserve:

No. 1.—One hundred inches of water from Alkali Lake Creek, to be diverted at the present ditch head.

No. 2.—Fifty inches of water from a small creek running through the Reserve known as Joe Rosetti's Creek, to be diverted at the head of the ditch which now conveys said water on to the Reserve.

No. 3.—The right to construct a dam at the outlet of Harper's Lake, on Dog Creek Mountain, and the

2

h

Lillooe

No objections t

This water already r

This water already r

ATTACHMENT 3

PROVINCE OF BRITISH COLUMBIA. **WATER RIGHTS BRANCH.** DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE

(IRRIGATION)

Appurtenant to 90 acres of Toosey Indian Reserve No.2.

WHEREAS A.O. Daunt, as Agent for the Indians on the Toosey Indian Reserve No.2, whose post-office address is Clinton, B. C. as owner or lawful occupant of the land hereinafter specified, has applied for a licence to take and use water in the manner hereinafter set out, and has taken all the preliminary steps required of such applicant under the "Water Act, 1914," prior to the issue of this licence, and is, under the said Act, entitled thereto:

Now, therefore, in pursuance of the said Act, this conditional licence is issued, granting the licensee hereunder the right to take and use water under the following terms and conditions:—

(1.) The source of the water-supply is Davies Creek.

(2.) The point of diversion from the stream is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which is attached to the counterfoil of this licence on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(3.) The date from which this licence shall take precedence is 16th August, 1922.

(4.) The purpose for which the water is to be used is irrigation ~~and incidentally domestic use~~.

(5.) The maximum quantity of water which may be diverted for use upon the lands mentioned in clause (7) hereof when all of the said lands are under irrigation is, until lawfully altered 135 acre-feet per annum, and such additional quantity as the District Engineer may from time to time determine should be allowed for seepage and evaporation; and the maximum quantity which may be used on any acre of the said lands in any year is 1½ acre-feet: Provided that of the said 135 acre-feet there may be used ---------------- gallons of water a day throughout the whole year for domestic purpose.

(6.) The period of the year during which the water may be used is 1st October to 15th June.

(7.) The area and description of the lands upon which the water may be used are 90 acres, comprising part of Toosey Indian Reserve No.2.

The extent and location of the said irrigable lands are further shown in the said exhibit "A."

Superseded by
Final Licence 6347

Licence Number 6610

Form 1004, W.R.B. (Conditional Licence—Irrigation)—2,000-7-22—8062.

ORIGINAL

(8.) The said lands shall be properly prepared for irrigation and irrigated beneficially from the said works on or before the 31st day of October, 1926.

(9.) Works for the diversion and the carriage of the water as set forth in the exhibit marked "B" which is hereto attached made a part hereof shall be constructed in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

The said construction shall be commenced on or before the already commenced.

day of __________, 192__

The said construction shall be prosecuted with due diligence and to the satisfaction of the Comptroller and shall be completed on or before the 31st day of October, 1926.

(10.) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(11.) This licence is supplementary to __________ Licence No. __________ for the diversion of __________ acre-feet per annum from __________ and Licence No. __________ for the diversion of __________ acre-feet per annum from __________ but no more than __________ acre-feet of water (exclusive of the quantity allowed for seepage and evaporation) may be diverted from all sources for use upon the lands described in clause 7 hereof.

(12.) This licence is subject to readjustment when hydrometric surveys have been made of the sources of supply mentioned in clauses (1) and (11) hereof and complete information obtained respecting the requirements of all the lands watered therefrom and the licensee shall surrender the licence for amendment when called upon to do so.

(13.) This licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of said Act, including especially the provisions of section 117 thereof requiring the filing of proof of the completion of the said works and of making beneficial use of the water as authorized within the time herein prescribed.

(14.) Subject to the requirements of prior licensees the water may be accumulated behind the dams shown in the said exhibit "A" from the 1st day of March or earlier to the 15th day of June and those of the said prior licensees who are diverting water below the said dams shall in every case be given three days notice before the said dams are opened.

Issued this 10th day of November, 1922.

File No. 042076.

E. A. Cleveland

Comptroller of Water Rights.

Licence Number 0610

Form 1004, W.R.B. (Conditional Licence—Irrigation)—[illegible]

ORIGINAL

PROVINCE OF
BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF
LANDS.

EXHIBIT "B."

(APPROVAL OF PLANS AND LIST OF WORKS TO BE CONSTRUCTED.)

The works which are accepted as necessary and suitable for the taking and (or) using of the water under the above-mentioned licence, and which are more fully set out in the plans and specifications filed in the office of the Comptroller of Water Rights numbered 27259 B.

as altered, amended, or limited by supplemental plans and specifications numbered

or in letters or other documents referred to as

which plans and specifications as thus altered, amended, or limited are hereby approved, are as follows:—

2 timber dams.

File No.C42076.

E A Cleveland
Comptroller of Water Rights.

Form 1008, W.R.B. (Approval of Plans)—2,500-4-23—[illegible]—(Forming part of Conditional Water Licence No. 6610).

ENTERED ON
No. 4566
By [illegible]

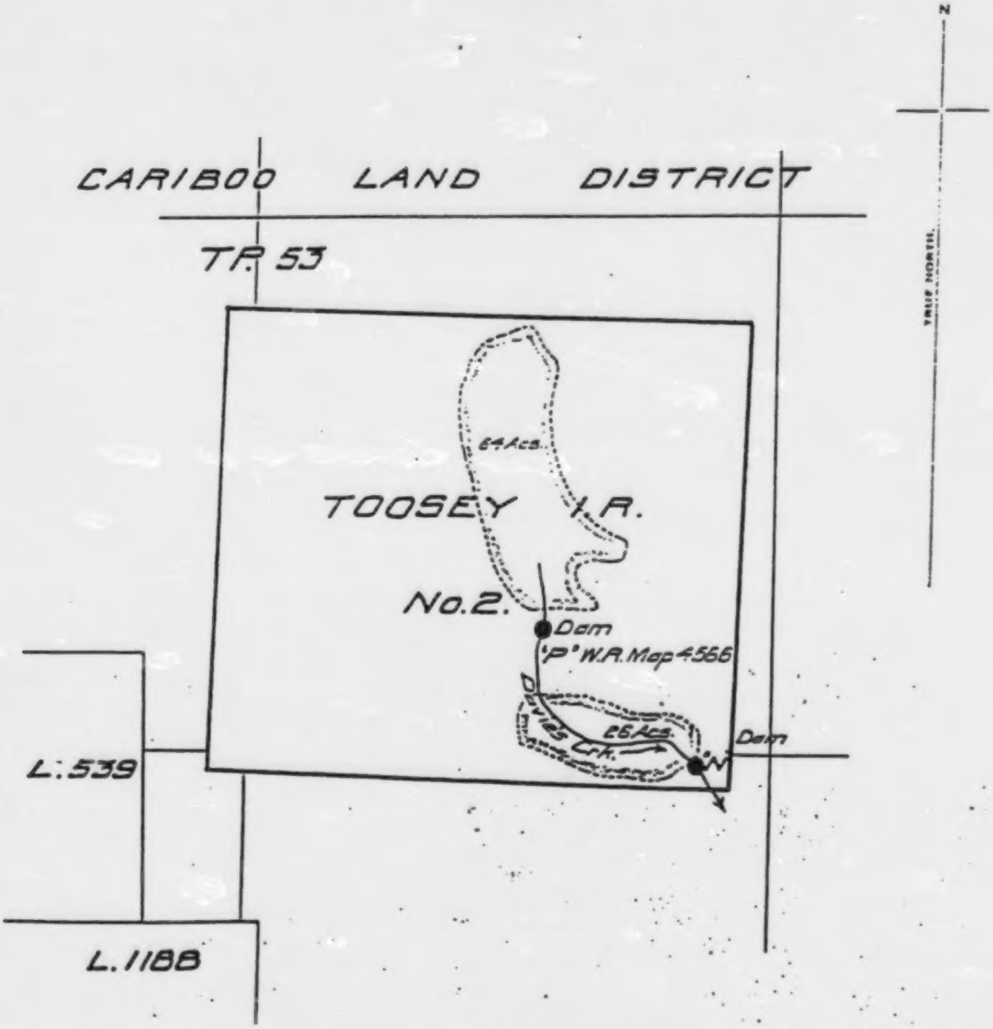
ORIGINAL

British Columbia.

To accompany *Conditional Licence* No. *6610* .... Precinct

LILLOOET WATER DISTRICT.

Scale, 20 Chains to 1 Inch.



The boundaries of the land to which this permit is appurtenant are shown shaded.

E.H.

EXHIBIT "A"

Signature *E A Cleveland*

Date *10/11/22*

CL. 6610

File 0412076

PROVINCE OF BRITISH COLUMBIA

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For a n Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. 6226, duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to Toosey Indian Reserve (No.1, Toosey).

Superseded by
Final Licence 10207

Made and entered this 2nd day of November, 19[illegible]

E. A. Cleveland
Comptroller of Water Rights.

No. 7806

Form No. 1006, W.R.B. (Licence in respect of Board Order)—500-224-8764

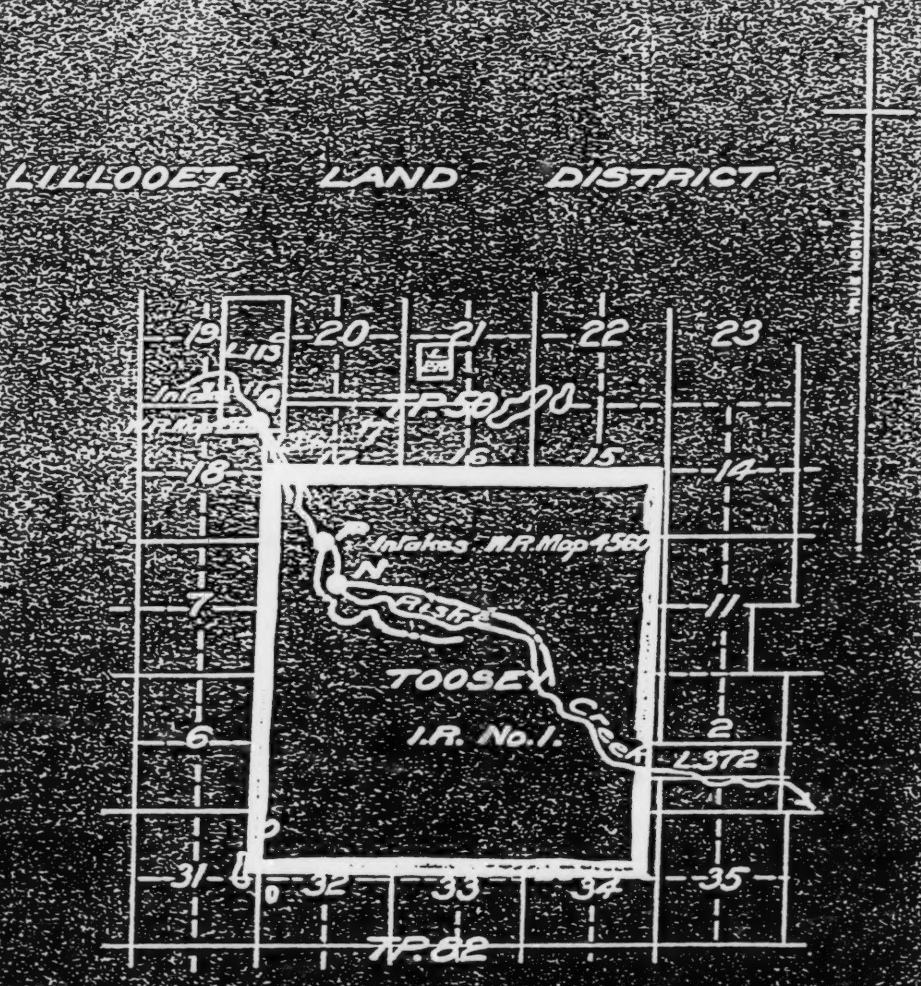
Copy for Comptroller

British Columbia

To accompany Board Order No. *6226*

LILLOOET —— WATER DISTRICT.

Scale, 80 Chains to 1 Inch.



LEGEND
Intake ●
Ditch
Road
The boundaries of the land to which this licence is appurtenant are shown shaded.
224 Acres within the said boundaries are claimed to be irrigable.

Description of Works *constructed Ditches*

Signature *J.S. Alexander*

J.E. Lane 3rd Nov. 1924

(C.L. 7808) B.O. *6226*
File *18-20-1*

EXHIBIT "A"

250-124-4117

PROVINCE OF BRITISH COLUMBIA

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

DETERMINATION AND ORDER

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters

of Riske Creek, a tributary of Fraser River,

in the neighbourhood of Williams Lake, in the

~~Lillooet~~ CARIBOO Water District.

NOW, on the 17th day of September, 1923, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 18-20-1) that a valid water record affecting the said claim was made under the authority of an Act passed prior to the 12th day of March, 1909, and that, under the said record, the Toosey tribe or band of Indians was granted a right to take and use water from Riske Creek, a tributary of Fraser River, for irrigation and domestic purposes on the Toosey Indian Reserve, being Reserve No. 1 of the said tribe or band.

Form [illegible], W.R.B.—[illegible]

Order No. 6226

7806.

Copy for Comptroller

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The source of the water supply is Riske Creek, a tributary of Fraser River.

(*b.*) The points of diversion from the said source are located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date ~~for~~ from which the said licence shall take precedence is 27th November, 1890.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 672 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is 3 acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Toosey Indian Reserve (No.1, Toosey) of which 224 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1925, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Board Order No.6226. 7806

Copy for Comptroller

(*l*.) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 8,000 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding ---------------------- acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of ---------------------- and it may be stored (accumulated) in a reservoir at -- ---------------------- between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*c*) hereof.

(*m*.) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n*.) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

(o) The right granted herein is supplementary to the right granted under Board Order No.7064.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 3rd day of November, 1924

THE BOARD OF INVESTIGATION.

By "J.S.T.Alexander", ~~Chairman.~~ Member.

and "J.E.Lane", *Member*.

4260

By [illegible]

Form 387, W.R.B.—2,000-12-20.

Order No. 6226.

7.806

Copy for Comptroller

PROVINCE OF BRITISH COLUMBIA

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For an Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. 7064, duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to Toosey Indian Reserve (No.1, Toosey).

Abandoned — 1/2/38

Made and entered this 2nd day of November, 1922

E. A. Cleveland
Comptroller of Water Rights.

No. 7807

Form No. 1006, W.R.B. (Licence in respect of Board Order)—300-324-5764

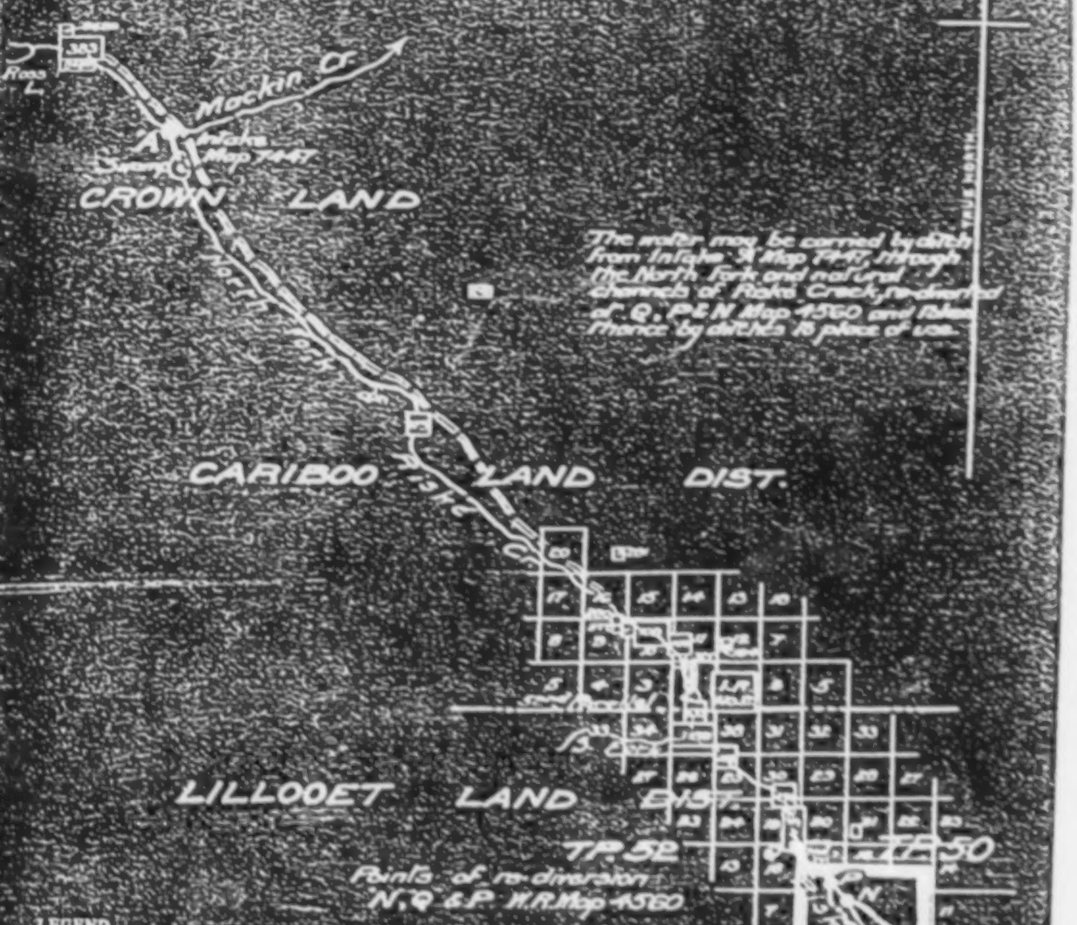
Copy for Comptroller

British Columbia

To accompany Board Order No. 7084

QUESNEL —— WATER DISTRICT.

Scale, 3 Miles to 1 Inch.



The water may be carried by ditch from Intake 'A' Map 7447, through the North Fork and natural channels of Rioka Creek, re-diverted at Q. P. & N. Map 4560 and taken thence by ditches to place of use.

Points of re-diversion N. Q. & P. W.R. Map 4560

LEGEND
Intake ●
Ditch
Road

The boundaries of the land, to which this licence is appurtenant are shown shaded. 440 acres within the said boundaries are claimed to be irrigable.

Description of Works constructed Dam & ditches

Signature J. T. Alexander

J. B. Shane 3rd Nov. 1926

EXHIBIT "A"

Ref. Map E7 (D-2)

(C.L. 7807) B.O. 7084 File 19-20-1

PROVINCE OF BRITISH COLUMBIA. **WATER RIGHTS BRANCH.** DEPARTMENT OF LANDS.

DETERMINATION AND ORDER

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters

of Mackin Creek, a tributary of North Fork of Riske Creek,

in the neighbourhood of Williams Lake, in the

Quesnel CARIBOO Water District.

NOW, on the 17th day of September, 1923 the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 19-20-1) that a valid water record affecting the said claim was made under authority of an Act passed prior to the 12th day of March, 1909, and that, under the said record, the Toosey tribe or band of Indians was granted a right to take and use water from Mackin Creek, a tributary of the North Fork of Riske Creek, for irrigation and domestic purposes on the Toosey Indian Reserve, being Reserve No.1 of the said tribe or band.

Form 106, W.R.B.—100-12-47

Order No. 7064.

7887

Copy for Comptroller

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The source~~s~~ of the water supply is Mookin Creek, a tributary of the North Fork of Riske Creek.

(*b.*) The point~~s~~ of diversion from the said source~~s~~ ~~are~~ is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date ~~for~~ from which the said licence shall take precedence is 27th November, 1890.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 1344 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is 3 acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Toosey Indian Reserve (No.1, Toosey) of which 448 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1925, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Board Order No.7064.

7807

Copy for Comptroller

(*l.*) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 8,000 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding ------------------ acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of ------------------ and it may be stored (accumulated) in a reservoir at -- between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(*m.*) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n.*) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

(o) The right granted herein is supplementary to the right granted under Board Order No.6226.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 2nd day of November, 192[illegible]

THE BOARD OF INVESTIGATION.

By "J.S.T.Alexander", Member.

and "J.E.Lane", *Member.*

4510 Ref Cap 27(B-2)
[illegible]

Form 287, W.R.B.—2,000-12-26.

Order No. 7064
7807

Copy for Comptroller

ORDER

File 19-20-1.

The time for completion of works and putting the water to beneficial use in respect of Conditional Water Licence No. 7807, Mackin creek, Toosey Indian Reserve No.1, is hereby extended to the 31st day of December, 1935.

Comptroller of Water Rights.

Dated at Victoria, B.C.,
this 17th day of December,
1934.

ORDER

File 19-20-1.

The time for completion of works and putting the water to beneficial use in respect of Conditional Water Licence No. 7807, Mackin creek, Toosey Indian Reserve No.1, is hereby extended to the Thirty-first day of December, 1937.

Comptroller of Water Rights.

Dated at Victoria, B.C.,
this 15th day of February,
1936.

DOMINION WATER POWER
AND
HYDROMETRIC BUREAU
FEB [illegible] 1936
VANCOUVER, B.C.
Ack'd

WATER RESOURCES SERVICE
WATER RIGHTS BRANCH

DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

CONDITIONAL WATER LICENCE

Superintendent General of Indian Affairs (Williams Lake Agency) of **OTTAWA, Ontario**

is/are hereby authorized to **divert and use** water as follows:—

(*a*) The source(s) of the water-supply is/are **Toosey Spring.**

(*b*) The point(s) of **diversion** is/are located as shown on the attached plan.

(*c*) The date from which this licence shall have precedence is **27th June, 1966.**

(*d*) The purpose for which the water is to be used is **domestic.**

(*e*) The maximum quantity of water which may be **diverted is 1,000 gallons a day,** and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(*f*) The period of the year during which the water may be **used is the whole year.**

(*g*) The land upon which the water is to be used and to which this licence is appurtenant is **Toosey Indian Reserve No.1, Cariboo District.**

(*h*) The works authorized to be constructed are **diversion structure, tank and pipe,** and they shall be located approximately as shown on the attached plan.

(*i*) The construction of the said works **has been completed and the water shall be beneficially used on or before the 31st day of December, 1970.**

H. D. DeBeck,
Comptroller of Water Rights.

File No. 0270110 Date issued: 1 October 1968 Conditional Licence No. 33640

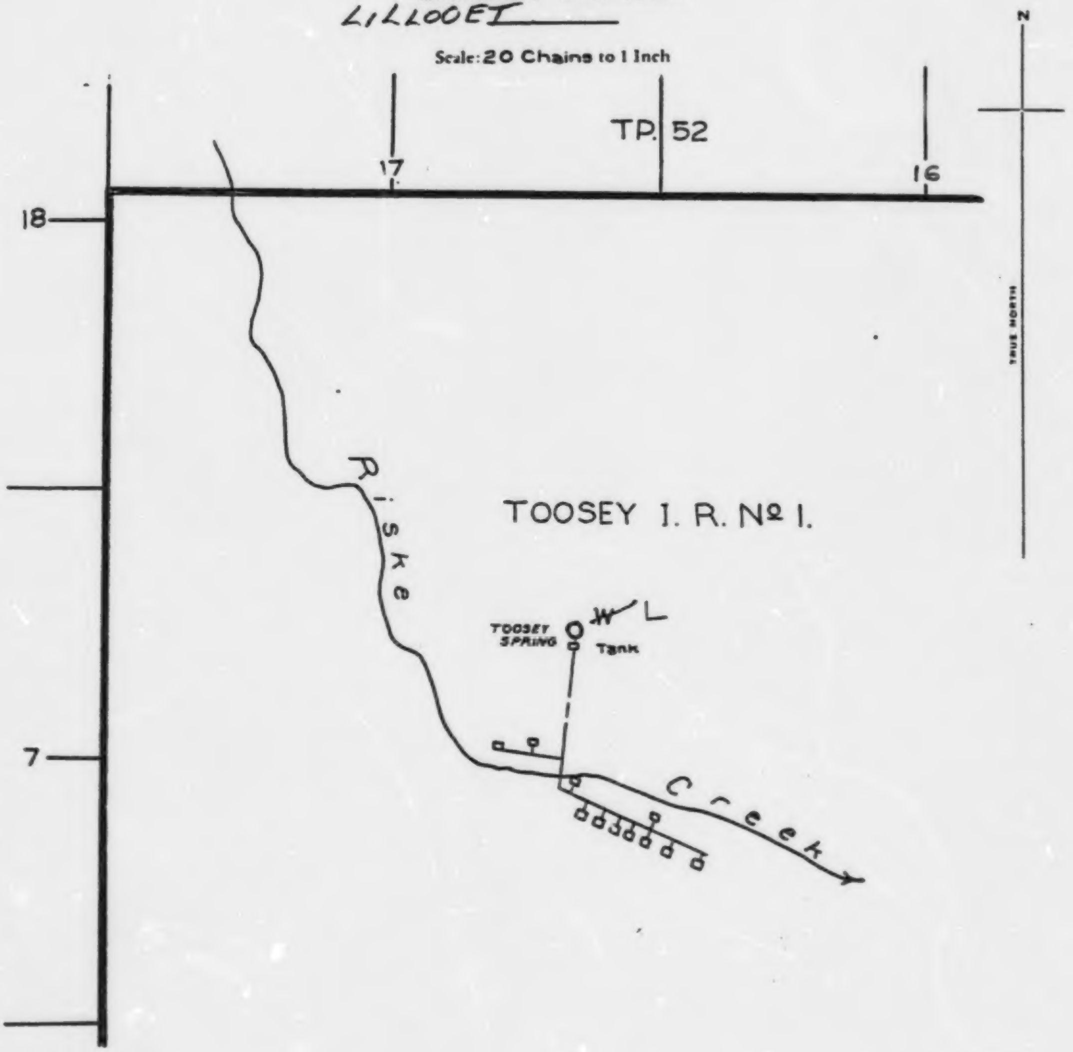
ENTERED ON
Map No. YA 1060
By

British Columbia

CARIBOO WATER DISTRICT

~~CARIBOO~~ DISTRICT
LILLOOET

Scale: 20 Chains to 1 Inch



LEGEND

Point of Diversion ○
W.R. Map ~~1060~~ 92.0.098
Pipe — — —

The boundaries of the land to which this licence is appurtenant are shown thus: ▬

Signature

Date 1st Oct. 1968
CL 33640
File 0270110

WATER MANAGEMENT BRANCH

MINISTRY OF ENVIRONMENT

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

CONDITIONAL WATER LICENCE

Toosey Indian Band of Riske Creek, B.C., V0L 1T0 and the Department of Indian and Northern Affairs

are hereby authorized to divert and use water as follows:

(a) The stream on which the rights are granted is Riske Creek.

(b) The point of diversion is located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 10th July, 1964.

(d) The purpose for which this licence is issued is irrigation.

(e) The maximum quantity of water which may be diverted is 90 acre feet per annum.

(f) The period of the year during which the water may be used is 1st April to 30th September.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Toosey Indian Reserve No. 1, Lillooet District, of which 30 acres may be irrigated.

(h) The works authorized to be constructed are diversion structure, pump, pipe, ditch and sprinkler system, which shall be located approximately as shown on the attached plan.

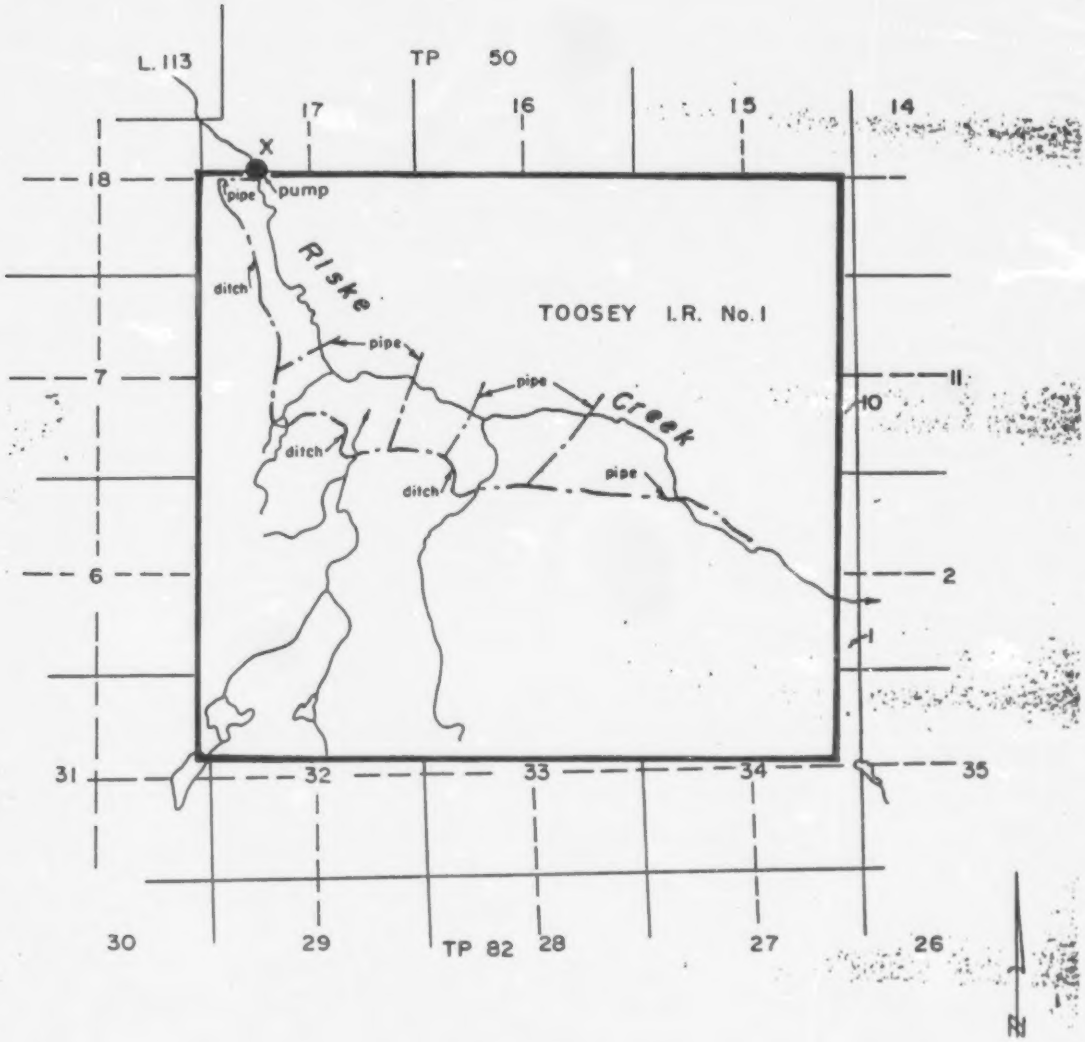
(i) The construction of the said works shall be completed and the water beneficially used prior to the 31st day of December, 1990. Thereafter, the licensee shall continue to make regular beneficial use of water in the manner as authorized herein.

(j) This licence is issued in substitution of Final Water Licence Number 20714 under the Water Act.

A. D. Zackodnik, P. Eng.
Regional Water Manager

File No. 0258122 Date issued: NOV 28 1988 Conditional Licence 66756

Province of British Columbia



WATER DISTRICT : CARIBOO
PRECINCT : CHILCOTIN
LAND DISTRICT : LILLOOET

LEGEND

Scale : 1:40 000
Point of Diversion : ●
Map Number : WR 92·0·098
Pipe, Ditch : —·—
Permit over Crown Land: ●

The boundaries of the land to which this licence is appurtenant are shown thus: ▬▬▬

Signature ....
Date .... NOV 28 1988

C.L. 66756 for F.L. 20714
File 0258122
P.C.L. 16826

WATER MANAGEMENT BRANCH

MINISTRY OF ENVIRONMENT

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

CONDITIONAL WATER LICENCE

Toosey Indian Band of Riske Creek, B.C., V0L 1T0 and the Department of Indian and Northern Affairs

are hereby authorized to divert and use water as follows:

(a) The stream on which the rights are granted is Riske Creek.

(b) The point of diversion is are located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 27th November, 1890.

(d) The purpose for which this licence is issued is irrigation and incidental industrial (stockwatering).

(e) The maximum quantity of water which may be diverted is 195 acre feet per annum for irrigation purpose and 2,000 gallons per day for incidental industrial.

(f) The period of the year during which the water may be used is 1st April to 30th September for irrigation purpose and the whole year for incidental industrial purpose.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Toosey Indian Reserve No. 1, Lillooet District, of which 64.5 acres may be irrigated.

(h) The works authorized to be constructed are diversion structure, pump, pipe, ditch and sprinkler system, which shall be located approximately as shown on the attached plan.

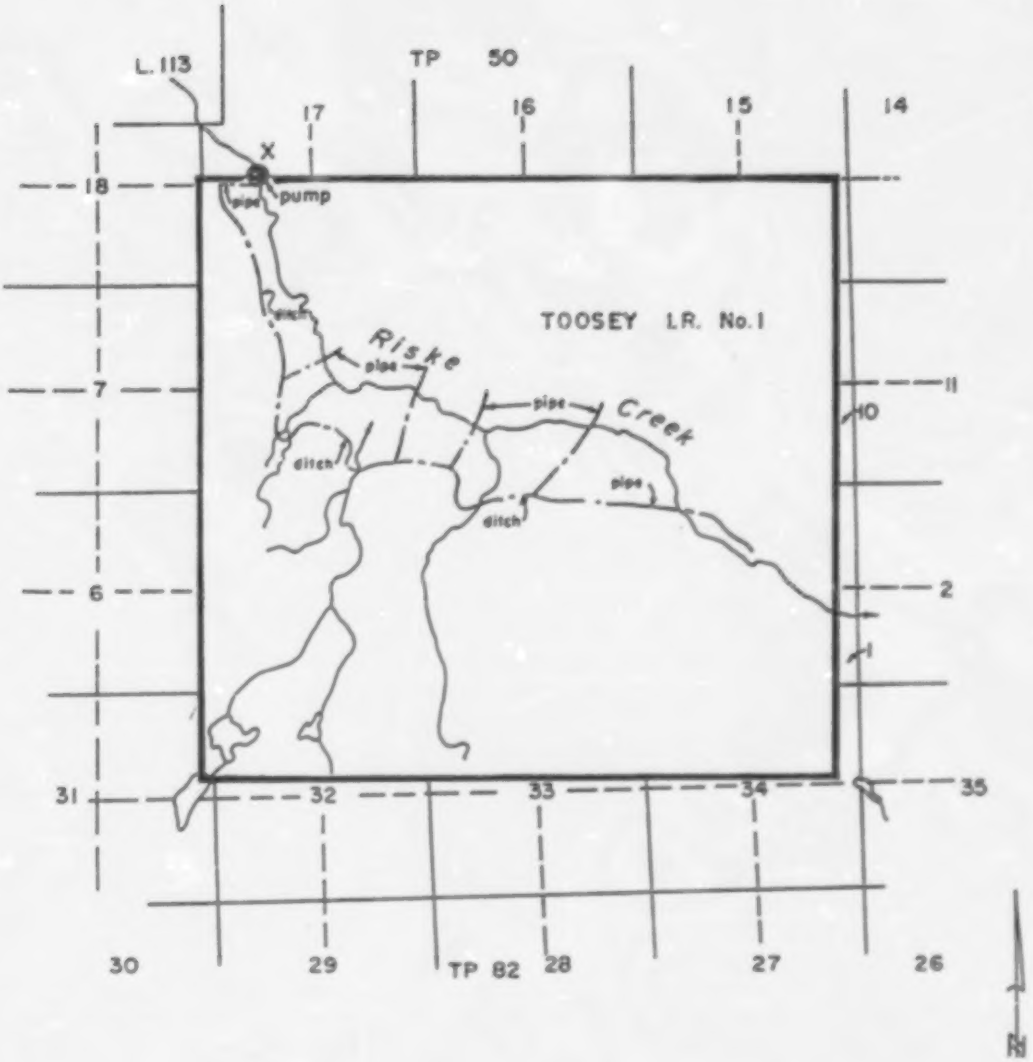
(i) The construction of the said works shall be completed and the water beneficially used prior to the 31st day of December, 1990. Thereafter, the licensee shall continue to make regular beneficial use of water in the manner as authorized herein.

(j) This licence is issued in substitution of Final Water Licence Number 10207 under the Water Act.

A. D. Zackodnik, P. Eng.
Regional Water Manager

File No. 0241151 Date issued: NOV 26 1988 Conditional Licence 66757

Province of British Columbia



WATER DISTRICT : CARIBOO
PRECINCT : CHILCOTIN
LAND DISTRICT : LILLOOET

LEGEND

Scale : 1:40 000
Point of Diversion : ●
Map Number : WR 92-0-098
Pipe, Ditch : — - —
Permit over Crown Land: ●

The boundaries of the land to which this licence is appurtenant are shown thus: ———

Signature
Date NOV 28 1988

C.L. 66757 for F.L. 10207
File 0241151
P.C.L. 16826

WATER MANAGEMENT
BRANCH

MINISTRY OF ENVIRONMENT
AND PARKS

THE PROVINCE OF BRITISH COLUMBIA — WATER ACT

CONDITIONAL WATER LICENCE

Toosey Indian Band of General Delivery, Riske Creek, B.C., V0L 1T0
and the Department of Indian and Northern Affairs

are hereby authorized to divert and use water as follows:

(a) The stream on which the rights are granted is Kathleen's Spring.

(b) The point of diversion is located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 4th April, 1986.

(d) The purposes for which this licence are irrigation and industrial (stockwatering).

(e) The maximum quantity of water which may be diverted is 5 acre feet per annum for irrigation purpose and 500 gallons per day for industrial (stockwatering) purpose.

(f) The period of the year during which the water may be used for irrigation purpose is 1st April to 30th September, and for industrial (stockwatering) purpose is the whole year.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Toosey Indian Reserve #1 and Toosey Indian Reserve #1A, both of Lilloet District, of which 2.5 acres may be irrigated.

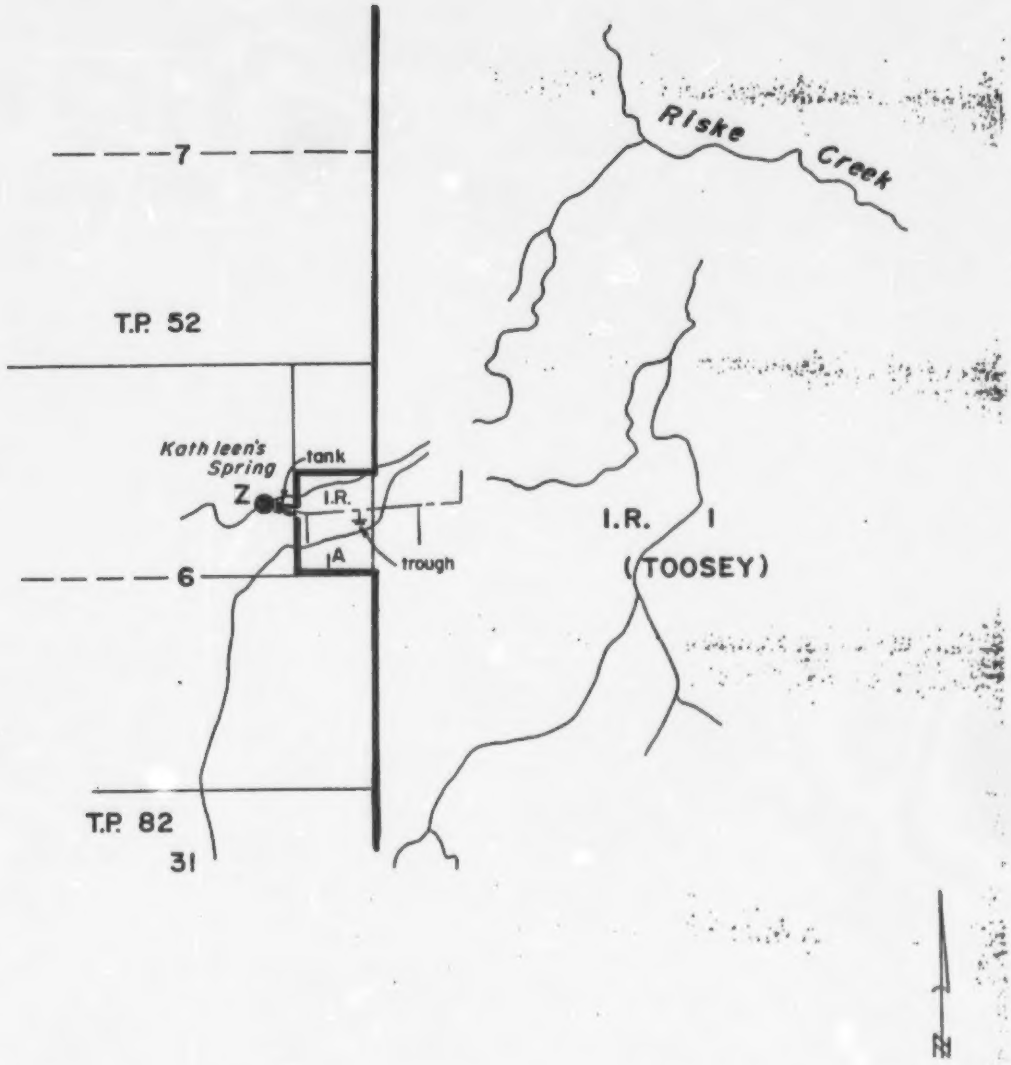
(h) The works authorized to be constructed are diversion structure, pipe, storage tank, trough, and sprinkler system, which shall be located approximately as shown on the attached plan.

(i) The construction of the said works shall be completed and the water beneficially used prior to 31st day of December, 1992. Thereafter, the licensee shall continue to make regular beneficial use of water in the manner as authorized herein.

DW Roberts
D. W. Roberts, P. Eng.
Regional Water Manager

File No. 5000532 Date issued: NOV 22 1989 Conditional Licence 66806

Province of British Columbia



WATER DISTRICT : CARIBOO
PRECINCT : CHILCOTIN
LAND DISTRICT : LILLOOET

LEGEND

Scale : 1:20000
Point of Diversion : ●
Map Number : WR 92-0-098
Pipe : — - —
Permit over Crown Land: ▨

The boundaries of the land to which this licence is appurtenant are shown thus: ▬▬▬

Signature D K Roberts
Date NOV 22 1989

C.L. 66806
File 5000532
P.C.L. 16840

WATER MANAGEMENT
BRANCH

MINISTRY OF
ENVIRONMENT
and Parks

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

CONDITIONAL WATER LICENCE

The Honourable Minister of Indian and Northern Affairs, Canada, c/o P. O. Box 1000,
800 Burrard Street, Vancouver, B. C. V6Z 2J3

on behalf of the Toosey Indian Band, Riske Creek, B. C. V0L 1T0

is hereby authorized to store, divert and use water as follows:

(a) The stream on which the rights are granted is Riske Creek, with the storage reservoir being on the creek.

(b) The storage site and the point of diversion are located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 20th May, 1983.

(d) The purposes for which this licence is issued are storage and irrigation.

(e) The maximum quantity of water which may be stored is 96 acre feet per annum and the maximum quantity of water which may be diverted is the quantity available from storage.

(f) The period of the year during which the flow of water may be restricted by the dam authorized under clause (h) hereof to store water in the reservoir is 1st October to 30th June. During the period from 1st July to 30th September, the volume of water passing the dam shall be equal to the flow into the reservoir. Water may be used from the reservoir during the period from 1st April to 30th September. The operation of the dam or the use of water from the reservoir may be restricted or prohibited at any time by an Order in writing of an Engineer under the Water Act in order to protect the fishery resource.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Toosey Indian Reserve No. 1, Lillooet District, of which 48 acres may be irrigated.

(h) The works authorized to be constructed are a flow measuring weir upstream of the reservoir, dam and reservoir on Riske Creek, intake on the reservoir, pump, pipe, ditch and sprinkler system, and a flow measuring weir downstream of the dam, all of which shall be located approximately as shown on the attached plan.

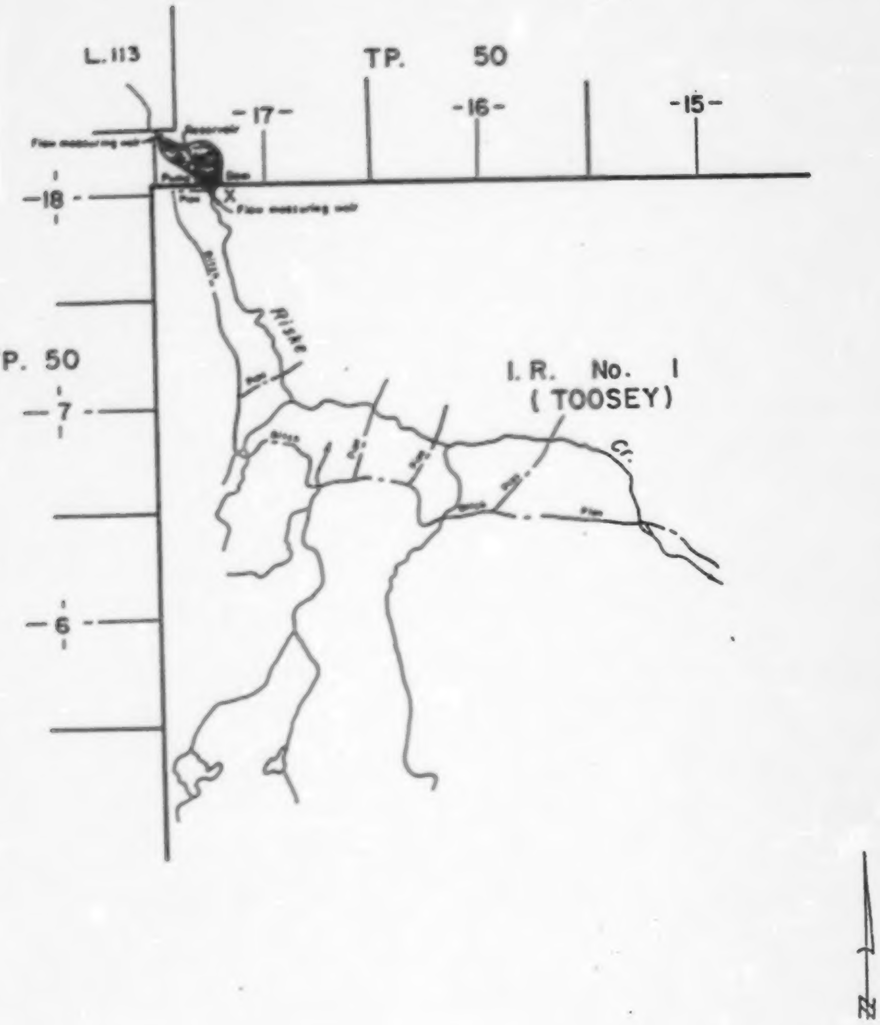
(i) The construction of the dam shall not be commenced until plans prepared by an Engineer registered in British Columbia have been submitted to and written leave to commence granted by the Regional Water Manager. The construction of all works shall be completed and the water beneficially used prior to the 31st day of December, 1990. Thereafter, the licensee shall continue to make a regular beneficial use of water in the manner authorized herein.

J. E. Farrell
Deputy Comptroller of Water Rights

File No. 5000153 Date issued: 5th August, 1987 CONDITIONAL LICENCE 67503

W [illegible]

Province of British Columbia



WATER DISTRICT : CARIBOO
PRECINCT : CHILCOTIN
LAND DISTRICT : LILLOOET

LEGEND

Scale : 1:40000
Point of Diversion, Dam : ●
Map Number : WR 92-0-098
Pipe and Ditch : ——— - ———
Permit over Crown Land: (Flooding) ■

The boundaries of the land to which this licence is appurtenant are shown thus: ————

Signature ....
Date August 5, 1987

C.L. 67503
File 5000153
P.C.L. 16676

WATER MANAGEMENT
BRANCH

MINISTRY OF ENVIRONMENT
AND PARKS

THE PROVINCE OF BRITISH COLUMBIA — WATER ACT

CONDITIONAL WATER LICENCE

Toosey Indian Band and the Department of Indian and Northern Affairs, Canada c/o Toosey Indian Band, Box 4681, Williams Lake, B.C., V2G 2V7 are hereby authorized to divert, store and use water as follows:

(a) The stream on which the rights are granted is Riske Creek and the reservoir is on the creek.

(b) The storage site and the points of diversion, rediversion and reference are located approximately as shown on the attached plan.

(c) The date from which this licence shall have precedence is 20th May, 1983.

(d) The purposes for which this licence is issued are storage and irrigation.

(e) The maximum quantity of water which may be used to fill the reservoir is 300 acre feet per annum and the maximum quantity which may be diverted for irrigation is 300 acre feet per annum, subject to the water being available from storage.

(f) The period of the year during which the flow of water may be restricted by the dam authorized under clause (h) hereof to store water in the reservoir is 1st October to 30th June. During the period from 1st July to 30th September, the volume of water passing the dam shall be equal to the flow into the reservoir. Water may be used from the reservoir during the period from 1st April to 30th September. The operation of the dam or the use of water from the reservoir may be restricted or prohibited at any time by an Order in writing of an Engineer under the Water Act in order to protect the fishery resource.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Indian Reserve #1, Lillooet District, of which 150 acres may be irrigated.

(h) The works authorized to be constructed are flow measuring wiers on South Riske Creek and North Fork Riske Creek, dam, reservoir, flow measuring wiers downstream of the dam, intake on the reservoir authorized under Conditional Water Licence 67503, pump, pipe, ditch, and sprinkler system, all of which shall be located approximately as shown on the attached plan.

(i) The construction of said works shall be completed and the water beneficially used prior to the 31st day of December, 1993. Thereafter, the licensee shall continue to make regular beneficial use of water in the manner authorized herein.

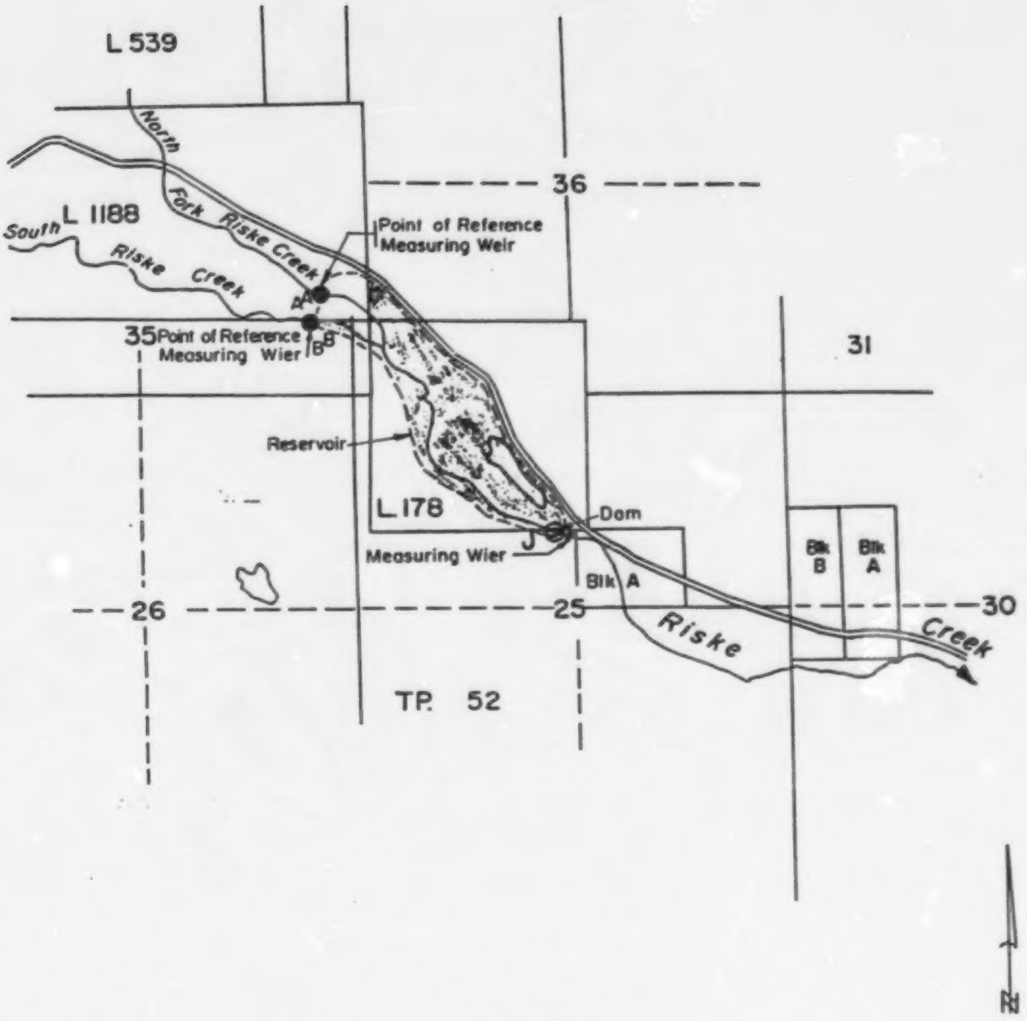
(j) As directed by an Engineer under the Water Act, the licensee shall install works to meter and record the rate of flow and quantity of water diverted under this licence, as well as the flow entering the reservoir.

(k) The construction of the said works shall not be commenced until plans prepared by a Professional Engineer registered in British Columbia have been submitted to and written leave to commence construction granted by an Engineer under the Water Act.

DW Roberts
D. W. Roberts, P. Eng.
Regional Water Manager

File No. 5000153 Date Issued: SEP 13 1990 Conditional Licence 69099

Province of British Columbia



WATER DISTRICT : CARIBOO
PRECINCT : CHILCOTIN
LAND DISTRICT : LILLOOET

LEGEND

Scale : 1:20000
Point of Reference , Dam : ●
Map Number : WR 92-0-098

Permit over Crown Land:

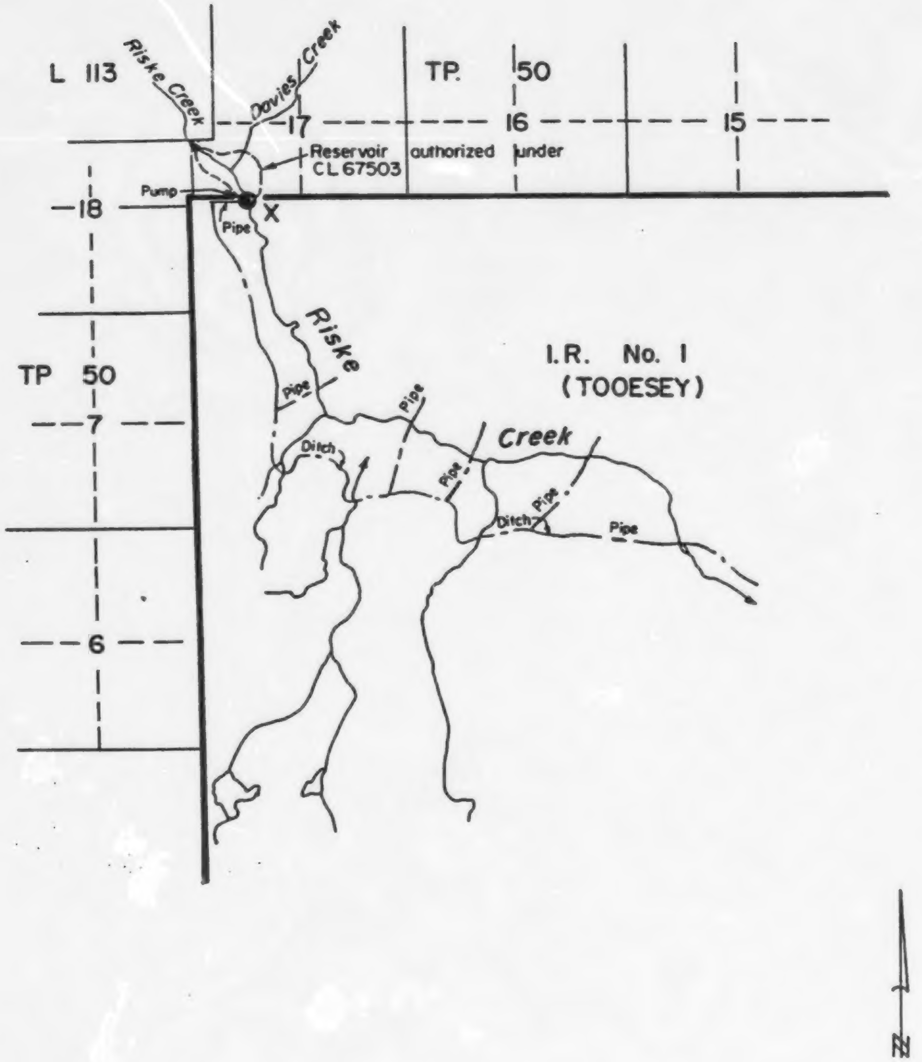
Signature J W Roberts

Date SEP 13 1990

C.L. 69099 sheet 1 of 2
File 5000153
P.C.L. 16914

For Diversion See sheet 2

Province of British Columbia



WATER DISTRICT : CARIBOO
PRECINCT : CHILCOTIN
LAND DISTRICT : LILLOOET

LEGEND

Scale : 1:40 000
Point of Rediversion : ●
Map Number : WR 92·0·098
Pipe and Ditch : —— - ——

Signature J H Roberts
Date [illegible]

C.L. 69099 sheet 2 of 2
File 5000153
P.C.L. 16914

For Storage See sheet 1

The boundaries of the land to which this licence is appurtenant are shown thus: ————

PROVINCE OF BRITISH COLUMBIA. **WATER RIGHTS BRANCH.** DEPARTMENT OF LANDS.

FINAL WATER LICENCE

(Irrigation)

Whereas THE SUPERINTENDENT-GENERAL OF INDIAN AFFAIRS whose address is Ottawa, Canada.

is the owner of the lands to which Conditional Licence No. 6610 was made appurtenant, and is the applicant for this licence; and

Whereas satisfactory proof has been duly filed, and it has been shown to the satisfaction of the Comptroller that the terms of the said conditional licence have been complied with satisfactorily, and particularly that the works for the diversion and carriage of the water under the said licence have been completed and that beneficial use of the water has been made thereunder:

Now, therefore, in pursuance of the "Water Act," this final licence is issued, granting the licensee thereunder the right to take and use water under the following terms and conditions:—

(*a*.) The source of the water-supply is Davies Creek

a tributary of Riske Creek

(*b*.) The point of diversion from the stream is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is attached to the counterfoil of this licence on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria.

(*c*.) The date from which this licence and the right to take and use water thereunder shall take precedence is 16th August, 1922.

(*d*.) The purpose for which the water is to be used is irrigation.

(*e*.) The maximum quantity of water which may be used at the place of use when all the lands mentioned in item (*g*) hereof are under irrigation is, until lawfully altered, 90 acre-feet per annum; and the maximum quantity which may be used per acre at the said place of use in any year is 1 acre-feet: Provided that if any records have been issued, or if any other licences have been or may hereafter be issued, for the use of water upon the said lands, the maximum quantity allowed under this licence shall be reduced by such quantities as may from time to time be used upon the said lands under such other records or licences, including the records or licences at present outstanding, namely, Licence No. - - - from - - - (Stream.)

and Licence No. - - - from - - - (Stream.)

And provided further that in such cases the Comptroller may, after the requisite hydrographic data has been accumulated for determining the particular quantity of water which may be used under this licence, require the surrender thereof for the purpose of readjustment, and may amend the same by stating therein such particular quantity so determined. The maximum quantity which may be diverted from the stream per annum

W.R.B. 1023 (1) Final Licence—Irrigation—10M-427-7583

Licence Number 6317

File 042076

is 90 acre-feet plus such reasonable allowance for evaporation and seepage as may be set by the District Engineer.

(*f.*) The period of the year during which the water may be used is

1st October to 15th June.

(*g.*) The area and description of the irrigable lands to which this licence shall be appurtenant, subject to beneficial use being made of the water in the irrigation of the said lands, are

90 acres, comprising part of Toosey Indian

Reserve Number 2.

: the extent and location of the said lands are further shown by cross-hatching in the said exhibit "A."

(*h.*) The works for the diversion and the carriage of the water consist of

Flooding dams.

(*i.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(*j.*) The nature and extent of the incidental use (if any) permitted under this licence are

None

but such use shall not enlarge the quantity of water allowed under item (*e*) above.

(*k.*) The diversion of the quantity of water permitted under this licence shall be limited to such rates of flow in the months of the irrigation season as may be determined, after hydrographic surveys, to be reasonable for the production of ordinary crops on the said lands, and the Comptroller may, after such surveys have been made, require the surrender of this licence and may amend the same by specifying therein such maximum rates of flow.

(*l.*) The terms and conditions of this licence shall replace those of the conditional licence hereinbefore referred to.

(*m.*) Subject to the requirements of prior licensees the water may be accumulated behind the dams shown in the said Exhibit "A" from the 1st day of March or earlier to the 15th day of June and those of the said prior licensees who are diverting water below the said dams shall in every case be given three days' notice before the said dams are opened.

Issued this 30th day of March, 1928

File 042076

Comptroller of Water Rights.

Licence Number 6317

W.R.B. 1022 (2) Final Licence—Irrigation—1M-427-7383

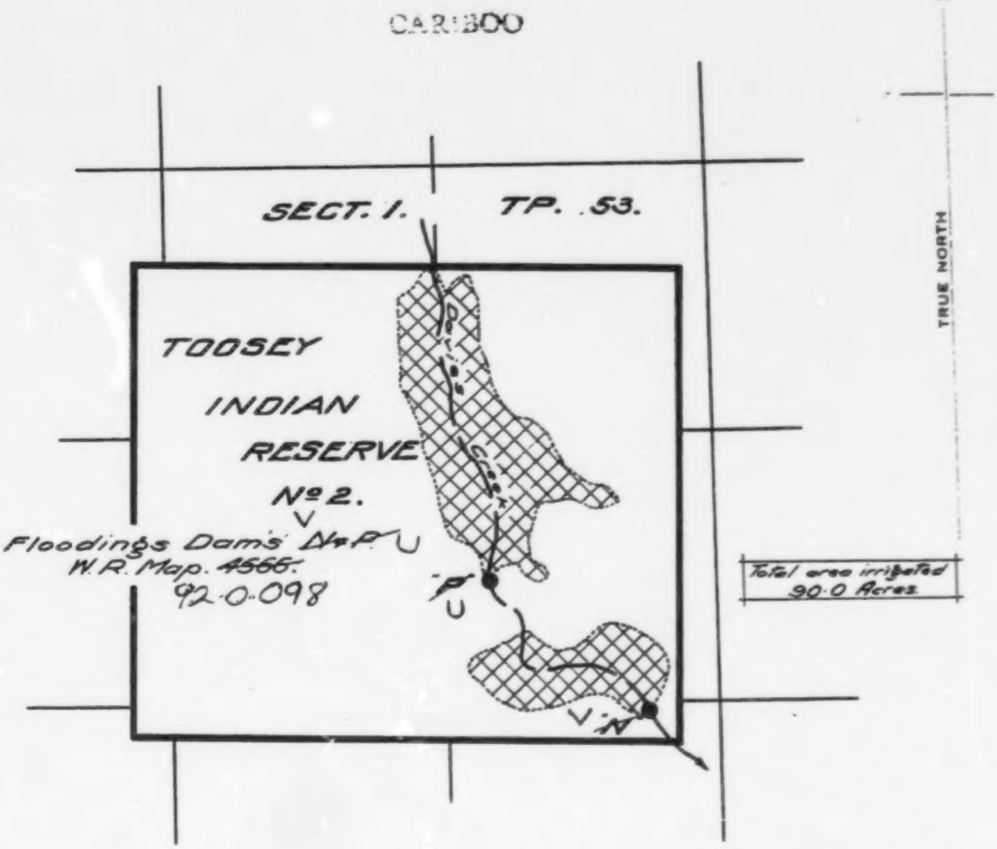
British Columbia.

To accompany Final Licence No. 6317

LILLOOET ——— WATER DISTRICT.

Scale, 20 Chains to 1 Inch.

CARIBOO



CARIBOO LAND DISTRICT.

Signature

Date 30th Mar. 1928

F.L. 6317 for C.L. 66
File 0420

E.C.
E.H.

EXHIBIT "A."

500-127-8350

W.R.B. 2—1M-836-1930

PROVINCE OF
BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF
LANDS.

FINAL WATER LICENCE.

The ~~Superintendent-General~~ Director of Indian Affairs of Ottawa, Canada, is hereby authorized to divert and use water as follows:—

(*a.*) The source of the water-supply is **Riske creek,**

a tributary of **Fraser river.**

(*b.*) The point of diversion from the stream is located as shown in the Exhibit marked "A" hereto attached.

(*c.*) The date from which this licence shall have precedence is **27th November, 1890.**

(*d.*) The purpose for which the water is to be used is **irrigation and domestic.**

(*e.*) The maximum quantity of water which may be diverted from the stream is

195 acre-feet per annum, of which quantity 2,000 gallons a day may be used for domestic purpose.

(*f.*) The period of the year during which the water may be used ~~is~~ **for irrigation is 1st April to 30th September, and for domestic use the whole year.**

(*g.*) The land upon which the water may be used is **64.5 acres of Toosey Indian Reserve No. 1,**

as shown in the said Exhibit "A."

(*h.*) The works for the diversion and the carriage of the water consist of **headgate and ditches.**

(*i.*) This licence is issued in substitution of Conditional Water Licence No. **7806.**

1060
[illegible]

Date issued **20th January, 1938.**

J. Macdonald
Comptroller of Water Rights.

Licence No. 10207

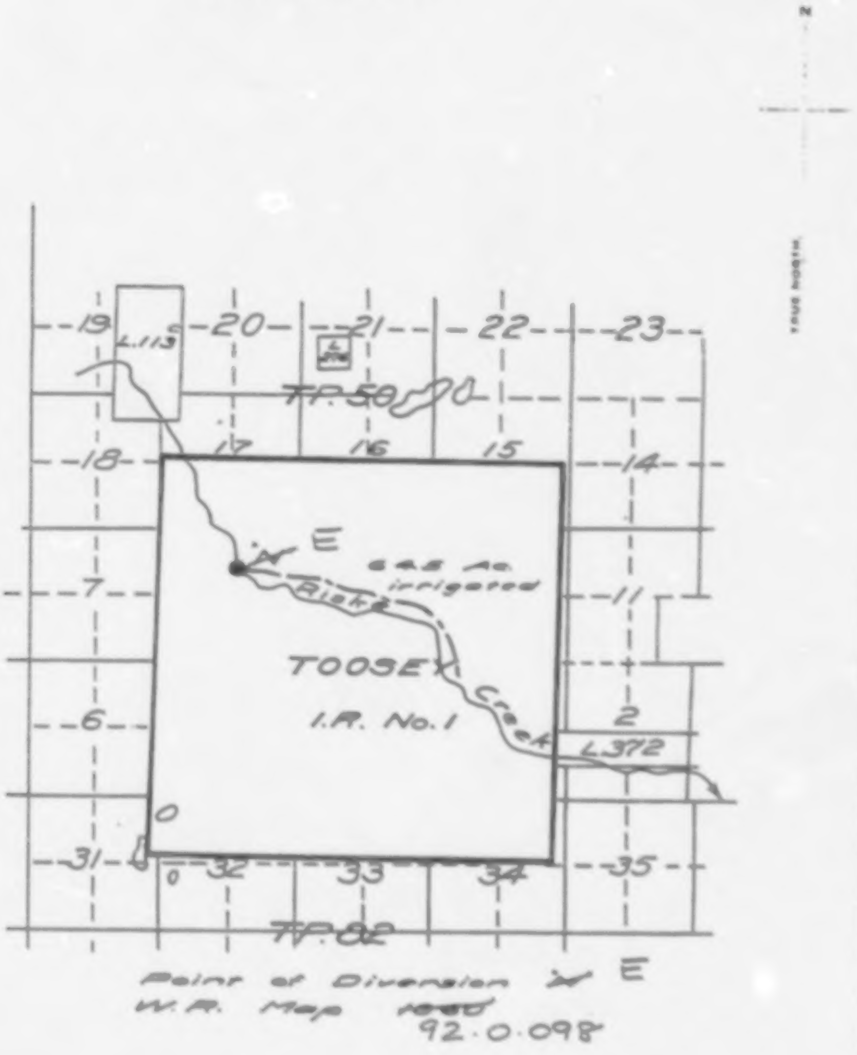
8

British Columbia.

To accompany {Final Licence No. 10207 for
Conditional Licence No. 7606

CARIBOO WATER DISTRICT.

Scale, 80 Chains to 1 Inch.



LILLOOET LAND DIST.

Signature

Date 20th Jan. 1938

F.L. 10207 for C.L. 7606

File 18-20-1

EXHIBIT "A"

WATER RESOURCES SERVICE
WATER RIGHTS BRANCH

DEPARTMENT OF LANDS, FORESTS,
AND WATER RESOURCES

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

FINAL WATER LICENCE

Superintendent General of Indian Affairs (Williams Lake Agency) of **Ottawa, Ontario,**

is/are hereby authorized to **divert and use** water as follows:—

(*a*) The source(s) of the water-supply is/are **Riske Creek.**

(*b*) The point(s) of **diversion** is/are located as shown on the attached plan.

(*c*) The date from which this licence shall have precedence is **10th July, 1964.**

(*d*) The purpose for which the water is to be used is **irrigation.**

(*e*) The maximum quantity of water which may be **diverted is 90 acre feet per annum,** and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(*f*) The period of the year during which the water may be **used is 1st April to 30th September.**

(*g*) The land upon which the water is to be used and to which this licence is appurtenant is **Toosey Indian Reserve No.1, Lillooet District, of which 30 acres may be irrigated.**

(*h*) The works authorized hereunder are **diversion structure and ditch,** located as shown on the attached plan.

(*i*) ~~This licence is issued in substitution of Conditional Water Licence No.~~

Reg. No. 1060
By

H. D. DeBeck,
Comptroller of Water Rights.

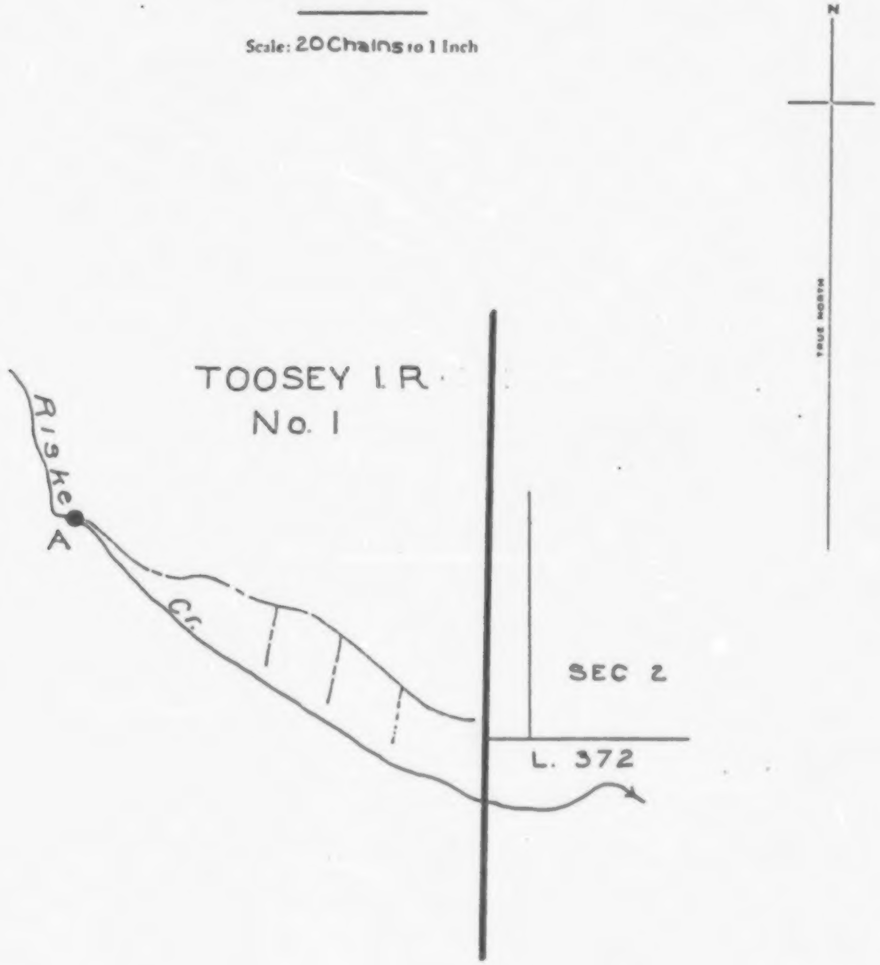
File No. 0258122 Date issued: 14 February 1969 Final Licence No. 20714

British Columbia

CARIBOO WATER DISTRICT

LILLOOET DISTRICT

Scale: 20 Chains to 1 Inch



LEGEND

Point of Diversion ●

W.R. Map ~~1080~~ 92 0 098

Ditch ———

The boundaries of the land to which this licence is appurtenant are shown thus: ▬▬▬

Signature

Date 14th Feb 1969

F.L. 20714

File 0258122

4

ATTACHMENT 4

Province of British Columbia

Ministry of Environment
and Parks

PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The holder of Conditional Water Licence 67503, whose licence authorizes the diversion and storage of water from Riske Creek, with the reservoir being on the creek, is hereby authorized to occupy Crown Land by flooding; and by constructing, maintaining and operating thereon the works authorized under the said licences.

(a) The Crown Land which is authorized to be occupied under this permit is a portion of the Fractional North West 1/4 of Section 17, Township 50, Lillooet District, the location of which is shown approximately on the plan attached to the said water licence.

(b) The approximate dimensions of the Crown Land authorized to be occupied under this permit are 1.0 acre for a damsite and 20.0 acres by flooding.

(c) The permittee may cut and remove from the said Crown Land any timber necessary to permit construction and maintenance of the said works (and clearing of the said lands which may be flooded). Prior to the cutting, destruction or flooding of any timber, the permittee shall apply for and obtain a licence to cut timber from the District Manager and the amount of stumpage, royalty and (or) compensation payable to the Crown in respect of trees, including merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum or sums fixed by the Forest Service of the Province of British Columbia.

(d) This permit is appurtenant to the land, mine or undertaking to which the aforesaid water licence is appurtenant.

(e) This permit shall become void if the water licence with respect to which the permit is issued should terminate, be abandoned or cancelled, or amended so as to render this permit unnecessary.

(f) This permit is issued and accepted on the understanding that the permittee shall indemnify and save harmless the Government of the Province of British Columbia for all loss, damage to works, cost or expense suffered by the permittee by reason of the Crown Land or any portion thereof being submerged or damaged by erosion or otherwise affected by flooding.

(g) The holder of this permit shall not be entitled to compensation if the Crown grants permits to other persons to occupy the land affected by this permit.

(h) In the event of a dispute at any time with respect to the area or boundaries of the land affected by this permit, the holder shall, at his own expense, have the said land surveyed by a duly qualified surveyor.

(i) The annual rental for this permit is $30.00, which is subject to review and revision at any time at the discretion of the Crown.

T. R. Johnson
Deputy Minister of Environment
and Parks

File No. 5000153 Date Issued: 5th August, 1987 Permit No. 16676

Province of
British Columbia

Ministry of
Environment

I RMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The holders of Conditional Water Licences 66756 and 66757, whose licences authorize the diversion of water from Riske Creek are hereby authorized to occupy Crown Land by constructing, maintaining and operating thereon the works authorized under the said licences.

(a) The Crown Land which is authorized to be occupied under this permit is a portion of the Southwest 1/4 of Section 17, Township 50, Lillooet District, the location of which is shown approximately on the plan attached to the said water licences.

(b) The approximate dimensions of the Crown Land authorized to be occupied under this permit are: 0.02 acres for diversion structure and pipe (with dimensions of 50'x15').

(c) The permittee may cut and remove from the said Crown Land any timber necessary to permit construction and maintenance of the said works. Prior to the cutting, destruction of any timber, the permittee shall apply for and obtain a licence to cut timber from the District Manager and the amount of stumpage, royalty and (or) compensation payable to the Crown in respect of trees, including merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum fixed by the Forest Service of the Province of British Columbia.

(d) This permit is appurtenant to the land, mine or undertaking to which the aforesaid water licence is appurtenant.

(e) This permit shall become void if the water licence with respect to which the permit is issued should terminate, be abandoned or cancelled or amended so as to render this permit unnecessary.

(f) This permit is issued and accepted on the understanding that the permittee shall indemnify and save harmless the Government of the Province of British Columbia for all loss damage to works, cost or expense suffered by the permittee by reason of the Crown Land or any portion thereof being submerged or damaged by erosion or otherwise affected by flooding.

(g) The holder of this permit shall not be entitled to compensation if the Crown grants permits to other persons to occupy the land affected by this permit.

(h) In the event of a dispute at any time with respect to the area or boundaries of the land affected by this permit, the holder shall, at his own expense, have the said land surveyed by a duly qualified surveyor.

R.L. Dalon
Associate Deputy Minister

File No. 0258122
0241151

Date Issued: NOV 28 1988

Permit No. 16826

**Province of
British Columbia**

Ministry of
Environment and Parks

PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The holder of Conditional Water Licence 66806, whose licence authorizes the diversion and storage of water from Kathleen's Spring is hereby authorized to occupy Crown Land by constructing, maintaining and operating thereon the works authorized under the said licence.

(a) The Crown Land which is authorized to be occupied under this permit is a portion the West 1/2 of the Northeast 1/4 of Section 6, Township 82, Lillooet District, the location of which is shown approximately on the plan attached to the said water licence.

(b) The approximate dimensions of the Crown Land authorized to be occupied under this permit are: 0.25 acres by diversion and storage tank and 0.10 acres by pipeline (with dimensions of 300 feet long by 15 feet wide) for the total of 0.35 acres.

(c) The permittee may cut and remove from the said Crown Land any timber necessary to permit construction and maintenance of the said works. Prior to the cutting, destruction of any timber, the permittee shall apply for and obtain a licence to cut timber from the District Forest Manager and the amount of stumpage, royalty and (or) compensation payable to the Crown in respect of trees, including merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum fixed by the Forest Service of the Province of British Columbia.

(d) This permit is appurtenant to the land, mine or undertaking to which the aforesaid water licence is appurtenant.

(e) This permit shall become void if the water licence with respect to which the permit is issued should terminate, be abandoned or cancelled or amended so as to render this permit unnecessary.

(f) This permit is issued and accepted on the understanding that the permittee shall indemnify and save harmless the Government of the Province of British Columbia for all loss damage to works, cost or expense suffered by the permittee by reason of the Crown Land or any portion thereof being submerged or damaged by erosion or otherwise affected by flooding.

(g) The holder of this permit shall not be entitled to compensation if the Crown grants permits to other persons to occupy the land affected by this permit.

(h) In the event of a dispute at any time with respect to the area or boundaries of the land affected by this permit, the holder shall, at his own expense, have the said land surveyed by a duly qualified surveyor.

DW Roberts

D. W. Roberts, P. Eng.
Regional Water Manager
Duly authorized designate of
the Minister of Environment

File No. 5000532 Date Issued: NOV 22 1989 Permit No. 16840

Province of
British Columbia

Ministry of
Environment and Parks

PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The holder of Conditional Water Licence 69099, whose licence authorizes the diversion, storage and use of water from South Riske Creek, is hereby authorized to occupy Crown land by flooding, constructing, maintaining and operating thereon the works authorized under the said licence and any licence which may be issued in substitution thereof.

(a) The Crown land which is authorized to be occupied under this permit is a portion of District Lot 178 (formerly Cariboo Land District), the NW 1/4 of Section 25, SE 1/4 of Section 35, SW 1/4 of Section 36, all of Township 52, Lillooet District, the location of which is shown approximately on the plan attached to the said water licence.

(b) The approximate dimensions of the Crown land authorized to be occupied under this permit are 4.0 acres by damsite and 70 acres by flooding.

(c) Prior to the cutting, removal, or destruction of any timber from the said Crown land (and clearing of the said lands which may be flooded), necessary to permit construction and maintenance of the said works, the permittee shall apply for and obtain a licence, from the Ministry of Forests, to cut timber. Application will be made to the District Manager of the Ministry of Forests and the amount of stumpage, royalty and (or) compensation payable to the Crown in respect of trees, including merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum or sums fixed by the Forest Service of the Province of British Columbia.

(d) This permit is appurtenant to the land, mine or undertaking to which the aforesaid water licence is appurtenant.

(e) This permit shall become void if the water licence with respect to which the permit is issued should terminate, be abandoned or cancelled, or amended so as to render this permit unnecessary.

(f) This permit is issued and accepted on the understanding that the permittee shall indemnify and save harmless the Government of the Province of British Columbia for all loss, damage to works, cost or expense suffered by the permittee by reason of the Crown land or any portion thereof being submerged or damaged by erosion or otherwise affected by flooding.

(g) The holder of this permit shall not be entitled to compensation if the Crown grants permits to other persons to occupy the land affected by this permit.

(h) In the event of a dispute at any time with respect to the area or boundaries of the land affected by this permit, the holder shall, at his own expense, have the said land surveyed by a duly qualified surveyor.

(i) The annual rental for this permit is $201.00, which is subject to review and revision at any time at the discretion of the Crown.

D. W. Roberts, P. Eng.
Regional Water Manager
duly authorized designate of
the Minister of Environment

File No. 5000153 Date Issued SEP 13 1990 Permit No. 16914

F✓

ATTACHMENT 5

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Stream Register Report      Water Licence Information System
____________________________________________________________

    Report Requested By   : JHDILL
    Date Report Requested : 1995/10/23 09:53
    Report Sorted By      : Source Gazetted - Priority Date - Licence Number
    Selection Criteria
                   START POINT      : 0037583 - 93.0.098 U
                   END POINT        : 0017305 - Davies Creek left of Blake Creek
```

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Stream Register Report                                      Water Licence Information System                                         DATE: 1995/10/23
                                                                                                                                     TIME: 09:52
                                                                                                                                     PAGE: 001

Priority   Licence File    Appurtenancy                  Licensee                        PUC         Quantity/Units  Term   Term  Licence Comments              Process Status
YYYY/MM/DD Number  Number                                                                                            Start  End

         Source                       WR Map          POD   RED POD Comments                                                           Prec
------------------------------------------------------------------------------------------------------------------------------------------------------------------------
1922/06/12 F004765 0040119 3.6 AC OF L 104 CARIBOO DIST   MAIRN MARCUS                      IRR         3.60 AF Mar 01 Jun 15 FLOOD IRRIGATION              AND UNDER AMENDMENT
                                                          BOX 34192 STATION D
                                                          VANCOUVER BC
                                                          V6J4H1

         Davies Creek                 WR93.B.008       E     Y   REDIVERSION FROM B & C 93.B.008 RISKE CR                      05A CAR - CHILCOTIN
             Riske Creek              WR93.B.008       B     N   REDIVERSION AT E 93.B.008 DAVIES CR
             Riske Creek              WR93.B.008       C     N

1922/06/12 F004766 0040120 1 AC OF L 458 CARIBOO DIST     MAIRN MARCUS                      IRR         1.00 AF Mar 01 Jun 15 FLOOD IRRIGATION
                                                          BOX 34192 STATION D
                                                          VANCOUVER BC
                                                          V6J4H1

         Davies Creek                 WR93.B.008       A     Y   REDIVERSION FROM B & C 93.B.008 RISKE CR                      05A CAR - CHILCOTIN
             Riske Creek              WR93.B.008       B     N   REDIVERSION AT A 93.B.008 DAVIES CR
             Riske Creek              WR93.B.008       C     N

1922/08/16 F006317 0042076 90 AC OF IR #2 TOOSEY CARIBOO  TOOSEY INDIAN BAND                IRR        90.00 AF Oct 01 Jun 15 FLOOD IRRIGATION
                      DIST                                989-710-8284
                                                          GD
                                                          RISKE CREEK BC
                                                          V0L1T0

         Davies Creek                 WR92.O.098       V     N                                                                 05A CAR - CHILCOTIN
             Davies Creek             WR92.O.098       U     N

      ------------ Total of 3 Licences Reported ------------
```

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Stream Register Report      Water Licence Information System
____________________________________________________________

    Report Requested By    : JEGILL
    Date Report Requested : 1995/10/23 10:56
    Report Sorted By       : Source Gazetted - Priority Date - Licence Number
    Selection Criteria
                 START POINT        : PD37520 - 92.0.098 E
                 END POINT          : SO37519 - Kathleen's Spring
```

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Stream Register Report                                    Water Licence Information System                                  DATE: 1995/10/23
                                                                                                                            TIME: 10:56
                                                                                                                            PAGE: 001

Priority   Licence File   Appurtenancy                     Licensee                     PUC        Quantity/Units  Term   Term  Licence Comments                 Process Status
YYYY/MM/DD Number  Number                                                                                          Start  End

           Source                          WR Map            POD  HPD POD Comments                                                     Prec
-------------------------------------------------------------------------------------------------------------------------------------------------------------
1986/04/04 C064806 5000532 TOOSEY INDIAN RESERVE #1 & #1A  TOOSEY INDIAN BAND           SW           500.00 GD Jan 01 Dec 31 STOCK WATERING
                           LILLOOET DISTRICT               909-710-0202                 IRR            5.00 AF Apr 01 Sep 30
                                                           RR
                                                           RISKE CREEK BC
                                                           V0L1T0

           Kathleen's Spring               W092.O.098         1    W                                                               05A CAR - CHILCOTIN

     ------------ Total of 1 Licence Reported ------------
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Stream Register Report      Water Licence Information System
_______________________________________________________________

    Report Requested By   : JKGILL
    Date Report Requested : 1995/10/26 12:39
    Report Sorted By      : Source Gazetted - Priority Date - Licence Number
    Selection Criteria
                  START POINT      : PD37913 - 93B/2(f) A
                  END POINT        : S018872 - Mackin Creek right of Fraser River
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Stream Register Report                                    Water Licence Information System
                                                                                                            DATE: 1995/10/26
                                                                                                            TIME: 12:39
                                                                                                            PAGE: 991

Priority   Licence File   Appurtenancy                    Licensee                  PUC      Quantity/Units  Term   Term  Licence Comments                  Process Status
YYYY/MM/DD Number  Number                                                                                   Start  End

           Source                        WR Map           POD   RED POD Comments                                          Prec
--------------------------------------------------------------------------------------------------------------------------------------------------------------------

1915/12/29 C050650 0265610 200 AC OF L 109 CARIBOO DIST   THOMSON LAND & CATTLE CO LTD   IRR   289.00 AF Apr 01 Sep 30
                                                          PO BOX 4402
                                                          WILLIAMS LAKE BC
                                                          V2G2V4

           Mackin Creek                  WR93.B.028         G     N
               Mackin Creek              WR93.B.028         F     N                                                      05D CAR - QUESNEL RIVER

1915/12/29 C050651 0346181 96 AC OF L 110 CARIBOO DIST    MOON AGNES                     IRR   139.00 AF Apr 01 Sep 30
                                                          BOX 4389
                                                          WILLIAMS LAKE BC
                                                          V2G2V4

           Mackin Creek                  WR93.B.038         K     N
               Mackin Creek              WR93.B.038         J     N                                                      05D CAR - QUESNEL RIVER

1915/12/29 C050653 0346180 25 AC OF L 266A CARIBOO DIST   TINK DARRYL V                  IRR    36.00 AF Apr 01 Sep 30
                                                          202 2405 BEACON AVE
                                                          SIDNEY BC
                                                          V8L1X5

           Mackin Creek                  WR93.B.028         J     N                                                      05D CAR - QUESNEL RIVER

1916/08/28 F010280 0265658 168 AC OF L 102, 103 & 8680    MOON MELVILLE C E ESTATE OF    IRR   200.00 AF Oct 01 Jul 15 BACK FLOOD
                       CARIBOO DIST                       BOX 4389
                                                          WILLIAMS LAKE BC
                                                          V2G2V4

           Mackin Creek                  WR93.B.038         H     N                                                      05D CAR - QUESNEL RIVER
               Mackin Creek              WR93.B.038         K     N
               Mackin Creek              WR93.B.038         F     N
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Stream Register Report                                                                           Water Licence Information System                                      DATE: 1995/10/26
                                                                                                                                                                       TIME: 12:39
                                                                                                                                                                       PAGE: 002

Priority   Licence File    Appurtenancy                         Licensee                         PUC           Quantity/Units  Term   Term  Licence Comments                       Process Status
YYYY/MM/DD Number  Number                                                                                                      Start  End

           Source                              WR Map               POD   RED POD Comments                                                                 Prec
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1939/12/15 C014396 0138469 100 AC OF L 150, 151, 645 & 6050      MOON MELVILLE C S ESTATE OF              IRR               250.00 AF Apr 01 Sep 30 STOR AT C 14397 MACKIN CR                AND UNDER AMENDMENT
                           CARIBOO DIST                          BOX 4389
                                                                 WILLIAMS LAKE BC
                                                                 V2G2V4

           Mackin Creek                        WR93.B.028           L     N   REDIVERSION AT B DESTER LK, C RICHARDS L93.B.018, J K 93.B.019 MELDRUM CR-CARIBO 05D CAR - QUESNEL RIVER
                                                                              /CHILCOTIN - 05A
               Dester Lake                     WR93.B.018           B     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Richards Lake                   WR93.B.018           C     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek                   WR93.B.019           J     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK = CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek                   WR93.B.019           K     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

1939/12/15 C014397 0138469 STOR FOR C 14396 MACKIN CR            MOON MELVILLE C S ESTATE OF              STONP             250.00 AF Oct 01 Jun 15 STOR IN DESTER & RICHARDS LKS 93.B.018 - AND UNDER AMENDMENT
                                                                 BOX 4389                                                                           CARIBOO/CHILCOTIN 05A
                                                                 WILLIAMS LAKE BC                                                                   SEE POD COMMENTS
                                                                 V2G2V4

           Mackin Creek                        WR93.B.028           L     N                                                                                05D CAR - QUESNEL RIVER
               Dester Lake                     WR93.B.018           B     N   NO DIVERSION OF WATER FROM POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING
                                                                              FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Richards Lake                   WR93.B.018           C     N   NO DIVSERSION OF WATER AT POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING
                                                                              FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

1939/12/15 C014398 0138469 100 AC OF L 596, 6055 & 9841          MOON AGNES                               IRR               250.00 AF Apr 01 Sep 30 STOR AT C 14399 MACKIN CR
                           CARIBOO DIST                          BOX 4389
                                                                 WILLIAMS LAKE BC
                                                                 V2G2V4

           Mackin Creek                        WR93.B.028           L     N   REDIVERSION AT B DESTER LK, C RICHARDS L93.B.018 V U T 93.B.019 MELDRUM CR - 05A 05D CAR - QUESNEL RIVER
               Dester Lake                     WR93.B.018           B     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Richards Lake                   WR93.B.018           C     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO /QUESNEL RIVER - 05D
               Meldrum Creek                   WR93.B.019           V     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek                   WR93.B.019           U     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK = CARIBOO /QUESNEL RIVER - 05D
               Meldrum Creek                   WR93.B.019           T     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

1939/12/15 C014399 0138469 STOR FOR C 14398 MACKIN CR            MOON AGNES                               STONP             250.00 AF Oct 01 Jun 15 STOR IN DESTER & RICHARDS LKS 93.B.018 -
                                                                 BOX 4389                                                                           CARIBOO/CHILCOTIN - 05A
                                                                 WILLIAMS LAKE BC                                                                   NOTE POD COMMENTS
                                                                 V2G2V4

           Mackin Creek                        WR93.B.028           L     N                                                                                05D CAR - QUESNEL RIVER
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Priority   Licence File  Appurtenancy                    Licensee                     PUC       Quantity/Units  Term   Term   Licence Comments                      Process Status
YYYY/MM/DD Number  Number                                                                                     Start  End

           Source                       WR Map           POD  RED POD Comments
                                                                                                                             Prec
-------------------------------------------------------------------------------------------------------------------------------------------------------
1939/12/15 C014400 0346358 100 AC OF L 653 & 593 CARIBOO  MOON MELVILLE C S ESTATE OF  IRR       250.00 AF Apr 01 Sep 30 STOR AT C 14401 MACKIN CR            AND UNDER AMENDMENT
                           DIST                           BOX 4389
                                                          WILLIAMS LAKE BC
                                                          V2G2V4

           Mackin Creek                 WR93.B.020        L    N   REDIVERSION AT B DEXTER LK, C RICHARDS L93.B.018, Y 93.B.019 MELDRUM CR - 05A    05D CAR - QUESNEL RIVER
              Dexter Lake               WR93.B.018        B    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Richards Lake             WR93.B.018        C    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek             WR93.B.019        Y    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

1939/12/15 C014401 0346358 STOR FOR C 14400 MACKIN CR     MOON MELVILLE C S ESTATE OF  STORP     250.00 AF Oct 01 Jun 15 STOR IN DEXTER & RICHARDS LKS 93.B.018 - AND UNDER AMENDMENT
                                                          BOX 4389                                                        CARIBOO/CHILCOTIN - 05A
                                                          WILLIAMS LAKE BC                                                NOTE POD COMMENTS
                                                          V2G2V4

           Mackin Creek                 WR93.B.020        L    N
              Dexter Lake               WR93.B.018        B    N   NO DIVERSION OF WATER FROM POD - POD IS A POINT OF STORAGE FROM WATER ORIGINATING   05D CAR - QUESNEL RIVER
                                                                   FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Richards Lake             WR93.B.018        C    N   NO DIVERSION OF WATER FROM POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING
                                                                   FROM L 93.B.020 MACKIN CREEK - 05D

1939/12/15 C014402 0138469 100 AC OF L 152 & 1915 CARIBOO RHAY ERIC                    IRR       250.00 AF Apr 01 Sep 30 STOR AT C 11403 MACKIN CR
                           DIST                           BOX 4372
                                                          WILLIAMS LAKE BC
                                                          V2G2V4

           Mackin Creek                 WR93.B.020        L    N   REDIVERSION AT B DEXTER LK, C RICHARDS L93.B.018, E F 93.B.019 MELDRUM CR - 05A  05D CAR - QUESNEL RIVER
              Dexter Lake               WR93.B.018        B    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Richards Lake             WR93.B.018        C    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek             WR93.B.019        E    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek             WR93.B.019        F    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

1939/12/15 C014403 0138469 STOR FOR C 11402 MACKIN CR     RHAY ERIC                    STORP     250.00 AF Oct 01 Jun 15 STOR IN DEXTER & RICHARDS LKS 93.B.018 -
                                                          BOX 4372                                                        CARIBOO/CHILCOTIN - 05A
                                                          WILLIAMS LAKE BC                                                NOTE POD COMMENTS
                                                          V2G2V4

           Mackin Creek                 WR93.B.020        L    N
              Dexter Lake               WR93.B.018        B    N   NO DIVERSION OF WATER AT POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING      05D CAR - QUESNEL RIVER
                                                                   FROM L 93.L.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Richards Lake             WR93.B.018        C    N   NO DIVERSION OF WATER AT POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING
                                                                   FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
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Priority   Licence File   Appurtenancy                      Licensee                     PUC        Quantity/Units  Term   Term  Licence Comments                 Process Status
YYYY/MM/DD Number  Number                                                                                           Start  End

           Source                          WR Map           POD   RED POD Comments                                              Prec
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1946/03/11 C066768 0159868 10 AC OF N 1/2 OF N 1/2 OF NW 1/4  SALLEY TOM BORSATA ROB       IRR             25.00 AF Apr 01 Sep 30
                           OF N 1/2 OF L 6103 CARIBOO DIST    ALLEN CATHERINE E
                                                              PO BOX 4222
                                                              WILLIAMS LAKE BC
                                                              V2G2V3

           Mackin Creek                    WR1152             P    N                                                            05D CAR - QUESNEL RIVER

1949/04/15 C019628 0178276 60 AC OF L 1914 & NW 1/4 OF L      RHAY ERIC                    IRR            150.00 AF Apr 01 Sep 30 STOR AT C 19629 MACKIN CR
                           6049 CARIBOO DIST                  BOX 4372
                                                              WILLIAMS LAKE BC
                                                              V2G2V4

           Mackin Creek                    WR93.B.020         L    N   REDIVERSION AT B DESTER LK, C RICHARDS L93.B.010, A 93.B.019 MELDRUM CR - 05A    05D CAR - QUESNEL RIVER
              Dester Lake                  WR93.B.010         B    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Richards Lake                WR93.B.010         C    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek                WR93.B.019         A    Y   REDIVERSION FROM L 93.B.020 MACKIN CREEK - CARIBOO QUESNEL/RIVER - 05D

1949/04/15 C019629 0178276 STOR FOR C 19628 MACKIN CR         RHAY ERIC                    STORP          150.00 AF Oct 01 Jun 15 STOR IN DESTER & RICHARDS LKS 93.B.010 -
                                                              BOX 4372                                                        CARIBOO/CHILCOTIN - 05A
                                                              WILLIAMS LAKE BC                                                NOTE POD COMMENTS
                                                              V2G2V4

           Mackin Creek                    WR93.B.020         L    N                                                            05D CAR - QUESNEL RIVER
              Dester Lake                  WR93.B.010         B    N   NO DIVERSION OF WATER FROM POD - POD IS A POINT OF STORAGE FOR WATER ORGINATING
                                                                       FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Richards Lake                WR93.B.010         C    N   NO DIVERSION OF WATER AT POD - POD IS A POINT OF STORAGE FOR WATER ORGINATING
                                                                       FROM L 93.B.020 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

1963/12/20 C104887 0254123 DL 6100; L 1 OF DL 6101 & 6102 CARIBO FRASER RIVER RANCHING LTD. INC. 01015931 IRR   257.87 AF Apr 01 Sep 30
                              O DIST PLAN 33492               2800 PARK PLACE
                                                              666 BURRARD ST
                                                              VANCOUVER BC
                                                              V6C2X8

           Mackin Creek                    WR93.B.030         B    N                                                            05D CAR - QUESNEL RIVER
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Stream Register Report                                        Water Licence Information System                                             DATE: 1995/10/26
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Priority   Licence File    Appurtenancy                    Licensee                           PUC      Quantity/Units  Term   Term  Licence Comments               Process Status
YYYY/MM/DD Number  Number                                                                                              Start  End

           Source                      WR Map              POD   RED POD Comments                                                   Prec
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1963/12/20 C104888 5001247 40 AC OF DL 6104 CARIBOO DIST EXC PL  DENNIS ELIZABETH                   IRR      100.00 AF Apr 01 Sep 30
                           25991                             BOX 131
                                                             MCLEESE LAKE BC
                                                             V0L1P0

           Mackin Creek                WR1152               LL    N                                                              05D CAR - QUESNEL RIVER

1963/12/20 C104889 5001248 30 AC OF DL 6101 CARIBOO DIST EXC PL  SAPP LESLIE & LORNA                IRR       75.00 AF Apr 01 Sep 30
                           33692                             BOX 4013
                                                             WILLIAMS LAKE BC
                                                             V2G2V0

           Mackin Creek                WR93.B.038           B     N                                                              05D CAR - QUESNEL RIVER

1963/12/20 C104890 5001249 2.99 AC OF LOT A OF DL 6104 CARIBOO D GONYER GARY & ANITA                IRR        7.47 AF Apr 01 Sep 30
                           IST PL 25991                      P.O. BOX 4517
                                                             WILLIAMS LAKE BC
                                                             V2G2V5

           Mackin Creek                WR1152               PP    N                                                              05D CAR - QUESNEL RIVER

1963/12/20 C104892 5001251 2.9 AC OF LOT C OF DL 6104 CARIBOO DI BJORKVIST CARL H & MARINA D        IRR        7.26 AF Apr 01 Sep 30
                           ST PL 25991                       PO BOX 4003
                                                             WILLIAMS LAKE BC
                                                             V2G2V2

           Mackin Creek                WR1152               MM    N                                                              05D CAR - QUESNEL RIVER

1963/12/20 C104893 5001252 2.57 AC OF LOT D OF DL 6104 CARIBOO D BJORKVIST CARL H & MARINA D        IRR        6.43 AF Apr 01 Sep 30
                           IST PL 25991                      PO BOX 4003
                                                             WILLIAMS LAKE BC
                                                             V2G2V2

           Mackin Creek                WR1152               MM    N                                                              05D CAR - QUESNEL RIVER
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Priority   Licence File   Appurtenancy                     Licensee                             PUC      Quantity/Units  Term   Term  Licence Comments              Process Status
YYYY/MM/DD Number  Number                                                                                                 Start  End

           Source                            WR Map        POD   RED POD Comments                                                  Prec
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1966/07/20 C033643 0270224 100 AC OF L 9557 & 11539 CARIBOO  COULTHARD JAMES H & WALTER W         IRR          200.00 AF Apr 01 Sep 30
                           DIST                              BOX 6250
                                                             WILLIAMS LAKE BC
                                                             V2G2V3

           Mackin Creek                      WR93.B.018     D     N                                                              05D CAR - QUESNEL RIVER

1971/04/30 C044013 0305199 60 AC OF L 3559 CARIBOO DIST      PACIFIC RIM MORTGAGE & LOAN CORP     IRR           60.00 AF Apr 01 Sep 30
                                                             202-2405 BEACON AVE
                                                             SIDNEY BC
                                                             V8L1X5

           Mackin Creek                      WR93B/2(f)     B     N                                                              05D CAR - QUESNEL RIVER
               Mackin Creek                  WR93B/2(f)     A     N

1972/01/25 C046335 0309596 30 AC OF L 182 CARIBOO DIST       RANTHOU GRETA                        IRR           30.00 AF Apr 01 Sep 30
                                                             PO BOX 760
                                                             AGASSIZ B C
                                                             V0M1A0

           Mackin Creek                      WR93B/2(f)     C     N                                                              05D CAR - QUESNEL RIVER

1974/10/07 C050209 0323990 L 266A CARIBOO DIST               TINK DARRYL V                        DOM       1,000.00 GD Jan 01 Dec 31
                                                             202 2405 BEACON AVE
                                                             SIDNEY BC
                                                             V8L1X5

           Mackin Creek                      WR93.B.018     E     N                                                              05D CAR - QUESNEL RIVER

1985/09/16 C101752 5000402 N 1/2 DL 6103 CARIBOO DIST        FRASER RIVER RANCHING LTD            IRR          100.00 AF Apr 01 Sep 30
                                                             PO BOX 4682
                                                             WILLIAMS LAKE BC
                                                             V2G2V7

           Mackin Creek                      WR93.B.018     B     N   REDIVERSION AT POD RR 1152 MAGNUSSON POND              05D CAR - QUESNEL RIVER
               Magnusson Pond                WR1152         RR    Y   REDIVERSION FROM POD B 93.B.018 MACKIN CREEK
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Priority   Licence File    Appurtenancy                        Licensee                        PUC        Quantity/Units  Term   Term  Licence Comments                  Process Status
YYYY/MM/DD Number  Number                                                                                                 Start  End

           Source                        WR Map            POD   RED POD Comments
                                                                                                                         Prec
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1985/11/22 C101753 5000509 L C OF L 6104 CARIBOO DIST PL 25991   SJOKVIST CARL H & MARINA D      DOM          500.00 GD Jan 01 Dec 31
                                                                  PO BOX 4003
                                                                  WILLIAMS LAKE BC
                                                                  V2G2V2

           Mackin Creek                  WR1152              MH    N
                                                                                                                    05D CAR - QUESNEL RIVER

1988/05/30 Z101438 5000793 L 645 6050 151 1910 1909 653 593 596  MOON AGNES                      IRR          500.00 AF Apr 01 Sep 30 STORAGE IN MELDRUM LAKE          APP APPLIC-CLEARED
                           6055 150 293 & 847A CARIBOO DIST      BOX 4189                        STORP        500.00 AF Jan 01 Dec 31
                                                                  WILLIAMS LAKE BC
                                                                  V2G2V4

           Mackin Creek                  WR93.B.028          L     N   REDIVERSION AT V K T Y & W 93.B.019 MELDRUM CREEK - CARIBOO/CHILCOTIN - 05A      05D CAR - QUESNEL RIVER
               Meldrum Lake              WR93.B.018          P     N
               Meldrum Creek             WR93.B.019          V     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          K     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          T     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          Y     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          W     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

1988/05/30 Z101443 5000794 L 150 151 293 593 596 665 653 847A 19 MOON AGNES                      IRR          500.00 AF Apr 01 Sep 30 STORAGE IN KNOX & HATSY LAKES    APP APPLIC-CLEARED
                           09 1910 6050 & 6055 CARIBOO DIST      BOX 4189                        STORP        500.00 AF Jan 01 Dec 31
                                                                  WILLIAMS LAKE BC
                                                                  V2G2V4

           Mackin Creek                  WR93.B.028          L     N   REDIVERSION AT V K T Y & W 93.B.019 MELDRUM CREEK - CARIBOO/CHILCOTIN - 05A      05D CAR - QUESNEL RIVER
               Knox Lake                 WR93.B.028          W     N   NO DIVERSION OF WATER FROM POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING
                                                                       FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          V     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          K     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          T     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          Y     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
               Meldrum Creek             WR93.B.019          W     Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
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Priority   Licence File    Appurtenancy                      Licensee                      PUC        Quantity/Units  Term   Term  Licence Comments                  Process Status
YYYY/MM/DD Number  Number                                                                                             Start  End

           Source                    WR Map          POD  RED POD Comments                                                   Prec
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1988/06/06 Z101434 5000792 L 6055 596 & 9841 CARIBOO DIST    MOON AGNES                    IRR           180.00 AF Apr 01 Sep 30 STORAGE IN KNOX & NASTY LAKES       APP APPLIC-CLEARED
                                                             BOX 4389                      STONP         180.00 AF Jan 01 Dec 31
                                                             WILLIAMS LAKE BC
                                                             V2G2V4

           Mackin Creek              WR93.B.028       L    N   REDIVERSION AT V U T 93.B.019 MELDRUM CREEK                       05D CAR - QUESNEL RIVER
                                                               CARIBOO/CHILCOTIN - 05A
              Knox Lake              WR93.B.028       W    N   NO DIVERSION OF WATER FROM POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING
                                                               FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek          WR93.B.019       V    Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK
                                                               CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek          WR93.B.019       U    Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK
                                                               CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek          WR93.B.019       T    Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK
                                                               CARIBOO/QUESNEL RIVER - 05D

1988/06/06 Z101445 5000791 L 6055 596 & 9841 CARIBOO DIST    MOON AGNES                    IRR           180.00 AF Apr 01 Sep 30 STORAGE IN MELDRUM LAKE//           APP APPLIC-CLEARED
                                                             BOX 4389                      STONP         180.00 AF Jan 01 Dec 31 US
                                                             WILLIAMS LAKE BC
                                                             V2G2V4

           Mackin Creek              WR93.B.028       L    N   REDIVERSION AT V U & T 93.B.019 MELDRUM CREEK - CARIBOO/CHILCOTIN - 05A     05D CAR - QUESNEL RIVER
              Meldrum Lake           WR93.B.019       F    N   NO DIVERSION OF WATER FROM POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING
                                                               FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek          WR93.B.019       V    Y   REDIVERSION FROM L 93.B.019 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek          WR93.B.019       U    Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek          WR93.B.019       T    Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

1988/06/06 Z101447 5000799 W 1/2 OF L 293 CARIBOO DIST       MELDRUM ARTHUR T              IRR           120.00 AF Apr 01 Sep 30                                     APP APPLIC-CLEARED
                                                             BOX 4191
                                                             WILLIAMS LAKE BC
                                                             V2H2V3

           Mackin Creek              WR93.B.028       L    N   REDIVERSION AT J & V 93.B.019 MELDRUM CREEK - CARIBOO/CHILCOTIN - 05A       05D CAR - QUESNEL RIVER
              Meldrum Creek          WR93.B.019       J    Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D
              Meldrum Creek          WR93.B.019       V    Y   REDIVERSION FROM L 93.B.028 MACKIN CREEK - CARIBOO/QUESNEL RIVER - 05D

     ------------ Total of 32 Licences Reported ------------
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Stream Register Report      Water Licence Information System
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   Report Requested By   : JEGILL
   Date Report Requested : 1995/10/23 10:47
   Report Sorted By      : Source Gazetted - Priority Date - Licence Number
   Selection Criteria
                  START POINT       : PD37603 - 93.B.007 C
                  END POINT         : SO17378 - Riske Creek right of Fraser River
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Stream Register Report                                   Water Licence Information System
                                                                                                        DATE: 1995/10/23
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Priority   Licence File    Appurtenancy                  Licensee                 PUC      Quantity/Units  Term   Term  Licence Comments                Process Status
YYYY/MM/DD Number  Number                                                                                  Start  End

           Source                        WR Map          POD   RED POD Comments                                         Prec
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1860/08/22 F005403 0242435 94.5 AC OF L 66 CARIBOO DIST  RISKE CREEK RANCHING CO LTD  DOM   1,000.00 GD Jan 01 Dec 31 STOR AT F 5406 & C 49574 RISKE CR
                                                         BOX 4480                     IRR     293.50 AF Apr 01 Sep 30 SUPPLEMENTARY TO F 5402 (0242490) TAYLOR
                                                         WILLIAMS LAKE BC                                               CR - CARIBOO/QUESNEL RIVER - 05D
                                                         V2G2V5

           Riske Creek                   WR92.0.098        B     N
               Riske Creek               WR92.0.098        A     N                                                       05A CAR - CHILCOTIN

1860/08/22 F005404 0242436 60 AC OF L 67 CARIBOO DIST    RISKE CREEK RANCHING CO LTD  DOM   1,000.00 GD Jan 01 Dec 31 STOR AT F 5406 & C 49574 RISKE CR
                                                         BOX 4480                     IRR     180.00 AF Apr 01 Sep 30 SUPPLEMENTARY TO F 5402 (0242490) TAYLOR
                                                         WILLIAMS LAKE BC                                               CR - CARIBOO/QUESNEL RIVER - 05D
                                                         V2G2V5

           Riske Creek                   WR92.0.098        A     N                                                       05A CAR - CHILCOTIN

1860/08/22 F005405 0042151 23.2 AC OF L 372C LILLOOET DIST  RISKE CREEK RANCHING CO LTD  IRR   69.50 AF Apr 01 Sep 30
                                                         BOX 4480
                                                         WILLIAMS LAKE BC
                                                         V2G2V5

           Riske Creek                   WR92.0.098        A     N
               Riske Creek               WR92.0.098        B     N                                                       05A CAR - CHILCOTIN

1887/06/30 F004688 0242437 25.3 AC OF L 113 CARIBOO DIST  NAIRN MARCUS                DOM   1,000.00 GD Jan 01 Dec 31 STOR AT F 6425 RISKE CR
                                                         BOX 34192 STATION D          IRR      76.00 AF Apr 01 Sep 30
                                                         VANCOUVER BC
                                                         V6J4H1

           Riske Creek                   WR92.0.098        G     N                                                       05A CAR - CHILCOTIN

1890/11/27 C066757 0241151 IR #1 TOOSEY LILLOOET DIST    TOOSEY INDIAN BAND           SW    2,000.00 GD Jan 01 Dec 31 INCIDENTAL INDUSTRIAL (STOCKWATERING) PU
                                                         989-710-0282                 IRR     195.00 AF Apr 01 Sep 30 RPOSE
                                                         GD
                                                         RISKE CREEK BC
                                                         V0L1T0

           Riske Creek                   WR92.0.098        X     N                                                       05A CAR - CHILCOTIN
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Priority   Licence File    Appurtenancy                          Licensee                          PUC          Quantity/Units  Term   Term  Licence Comments                          Process Status
YYYY/MM/DD Number  Number                                                                                                   Start  End

           Source                         WR Map          POD   RED POD Comments                                                      Prec
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1995/01/23 F005406 0242438 STOR FOR P 5403, 5404 & 5405 RISKE   RISKE CREEK RANCHING CO LTD       STORP             195.00 AF Oct 01 Jun 01 STOR IN CR
                           CR                                   BOX 4480
                                                                WILLIAMS LAKE BC
                                                                V2G2V5

           Riske Creek                    WR93.B.007        C     N                                                                 05A CAR - CHILCOTIN

1995/03/26 F006423 0242439 8 AC OF L 434 CARIBOO DIST           HAIRH MARCUS                      DOM               500.00 GD Jan 01 Dec 31 STOR AT P 6425 RISKE CR
                                                                BOX 34192 STATION D               IRR                24.00 AF Apr 01 Sep 30
                                                                VANCOUVER BC
                                                                V6J4H1

           Riske Creek                    WR92.O.098        G     N                                                                 05A CAR - CHILCOTIN
              Riske Creek                 WR92.O.098        H     N

1995/03/26 F006425 0242439 STO FOR PL 6423 & 4680 RISKE CR      HAIRH MARCUS                      STORP             100.00 AF Oct 01 Jun 01 STOR IN CR                                AND UNDER AMENDMENT
                                                                BOX 34192 STATION D
                                                                VANCOUVER BC
                                                                V6J4H1

           Riske Creek                    WR92.O.098        J     N                                                                 05A CAR - CHILCOTIN

1995/05/16 F005402 0242498 156.5 AC OF L 66 & 67 CARIBOO        RISKE CREEK RANCHING CO LTD       DOM            1,000.00 GD Jan 01 Dec 31 STOR AT P 10231 TAYLOR CR & C 49574
                           DIST                                 BOX 4480                          IRR               463.50 AF Apr 01 Sep 30 8 RISKE CR - CARIBOO/CHILCOTIN - 05A
                                                                WILLIAMS LAKE BC                                                          SUPPLEMENTARY TO P 5403 (0242435) &
                                                                V2G2V5                                                                    P5404 RISKE CR(242436) CAR/CHIL 05A

           Riske Creek                    WR92.O.098        B     Y   REDIVERSION FROM D 93B/2(B) TAYLOR CREEK - CARIBOO/QUESNEL RIVER - 05D        05D CAR - QUESNEL RIVER
              Riske Creek                 WR92.O.098        A     Y   REDIVERSION FROM D 93B/2(B) TAYLOR CREEK - CARIBOO/QUESNEL RIVER - 05D
                 Taylor Creek             WR93B/2(b)        D     N   REDIVERSION AT A B 92.O.098 RISKE CR -  CARIBOO/CHILCOTIN - 05A
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Priority   Licence File    Appurtenancy                       Licensee                  PUC        Quantity/Units  Term   Term  Licence Comments          Process Status
YYYY/MM/DD Number  Number                                                                                          Start  End

        Source                         WR Map           POD    RED POD Comments                                                  Prec
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1915/01/19 F003696 0265384 160 AC L 107 & 108 CARIBOO DIST   HAIRN MARCUS              IRR          160.00 AF Mar 01 Jun 15 FLOOD IRRIGATION          AND UNDER AMENDMENT
                                                             BOX 34192 STATION D
                                                             VANCOUVER BC
                                                             V6J4N1

        Riske Creek                    WR93.B.008        B     N                                                              05A CAR - CHILCOTIN
           Riske Creek                 WR93.B.007        H     N
           Riske Creek                 WR93.B.008        F     N
           Riske Creek                 WR93.B.008        C     N

1922/06/12 F004763 0060122 30 AC OF L 179 CARIBOO DIST       HAIRN MARCUS              IRR           30.00 AF Mar 01 Jun 15 FLOOD IRRIGATION
                                                             BOX 34192 STATION D
                                                             VANCOUVER BC
                                                             V6J4N1

        Riske Creek                    WR93.B.007        B     N                                                              05A CAR - CHILCOTIN

1922/06/12 F004765 0060119 3.6 AC OF L 184 CARIBOO DIST      HAIRN MARCUS              IRR            3.60 AF Mar 01 Jun 15 FLOOD IRRIGATION          AND UNDER AMENDMENT
                                                             BOX 34192 STATION D
                                                             VANCOUVER BC
                                                             V6J4N1

        Riske Creek                    WR93.B.008        C     N                                                              05A CAR - CHILCOTIN
           Riske Creek                 WR93.B.008        B     N   REDIVERSION AT E 93.B.008 DAVIES CR
           Davies Creek                WR93.B.008        E     Y   REDIVERSION FROM B & C 93.B.008 RISKE CR

1922/06/12 F004766 0060120 1 AC OF L 458 CARIBOO DIST        HAIRN MARCUS              IRR            1.00 AF Mar 01 Jun 15 FLOOD IRRIGATION
                                                             BOX 34192 STATION D
                                                             VANCOUVER BC
                                                             V6J4N1

        Riske Creek                    WR93.B.008        B     N   REDIVERSION AT A 93.B.008 DAVIES CR                        05A CAR - CHILCOTIN
           Riske Creek                 WR93.B.008        C     N
           Davies Creek                WR93.B.008        A     Y   REDIVERSION FROM B & C 93.B.008 RISKE CR
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Priority   Licence File    Appurtenancy                       Licensee                        PUC          Quantity/Units  Term   Term  Licence Comments                      Process Status
YYYY/MM/DD Number  Number                                                                                                  Start  End

        Source                           WR Map           POD   RED POD Comments                                       Prec
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1922/06/12 F004767 0040115 5 AC OF L 321 CARIBOO DIST     HAIRN MARCUS                    IRR               5.00 AF Mar 01 Jun 15 FLOOD IRRIGATION
                                                          BOX 34192 STATION D
                                                          VANCOUVER BC
                                                          V6J4H1

        Riske Creek                      WR93.B.008         D     N                                                     05A CAR - CHILCOTIN

1922/06/12 F006358 0040118 7.2 AC OF L 288 CARIBOO DIST   HAIRN MARCUS                    IRR               7.50 AF Oct 01 Jun 15 FLOOD IRRIGATION                     AND UNDER AMENDMENT
                                                          BOX 34192 STATION D
                                                          VANCOUVER BC
                                                          V6J4H1

        Riske Creek                      WR93.B.007         A     N                                                     05A CAR - CHILCOTIN

1922/10/16 F010139 0044013 19 AC OF L 539 CARIBOO DIST    HAIRN MARCUS                    IRR              57.00 AF Apr 01 Sep 30
                                                          BOX 34192 STATION D
                                                          VANCOUVER BC
                                                          V6J4H1

        Riske Creek                      WR92.O.098         W     N                                                     05A CAR - CHILCOTIN

1923/04/04 F010231 0045900 STOR FOR F 5402 TAYLOR CR      RISKE CREEK RANCHING CO LTD     STONP           200.00 AF Oct 01 Jun 01 STOR IN RISKE CR, C 93.B.007 - CARIBOO/
                                                          BOX 4480                                                              CHILCOTIN - 05A
                                                          WILLIAMS LAKE BC
                                                          V2G2V5

        Riske Creek                      WR93.B.007         C     N  NO DIVERSION OF WATER AT POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING    05D CAR - QUESNEL RIVER
                                                                     FROM D 93B/2(B) TAYLOR CREEK - CARIBOO/QUESNEL RIVER - 05D
           Taylor Creek                  WR93B/2(b)         D     N

1964/07/10 C066756 0258122 30 AC OF IR #1 TOOSEY LILLOOET TOOSEY INDIAN BAND              IRR              90.00 AF Apr 01 Sep 30
                      DIST                                989-710-0292
                                                          GD
                                                          RISKE CREEK BC
                                                          V0L1T0

        Riske Creek                      WR92.O.098         X     N                                                     05A CAR - CHILCOTIN
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Stream Register Report                                         Water Licence Information System                                             DATE: 1995/10/23
                                                                                                                                              TIME: 10:47
                                                                                                                                              PAGE: 985

Priority   Licence File    Appurtenancy                   Licensee                        PUC        Quantity/Units  Term   Term  Licence Comments                 Process Status
YYYY/MM/DD Number  Number                                                                                            Start  End

           Source                          WR Map           POD  RRD POD Comments                                                     Prec
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1983/05/20 C067503 S000153 40 A OF TOOSEY IR #1 LILLOOET  TOOSEY INDIAN BAND              IRR              96.00 AF Apr 01 Sep 30 STOR IN CR
                           DIST                           989-710-0202                    STONP            96.00 AF Oct 01 Jun 30
                                                          GD
                                                          RISKE CREEK BC
                                                          V0L1T0

           Riske Creek                     WR92.O.098        X    N                                                               05A CAR - CHILCOTIN

1983/05/20 C069099 S000153 INDIAN RESERVE #1 LILLOOET DISTRICT  TOOSEY INDIAN BAND        IRR             300.00 AF Apr 01 Sep 30
                                                          989-710-0202                    STONP           300.00 AF Oct 01 Jun 30
                                                          GD
                                                          RISKE CREEK BC
                                                          V0L1T0

           Riske Creek                     WR92.O.098        J    N                                                               05A CAR - CHILCOTIN
               Riske Creek                 WR92.O.098        X    N

1987/07/03 Z101470 S000652 IR # 1 LILLOOET DIST           TOOSEY INDIAN BAND              IRR             300.00 AF Apr 01 Sep 30                                  APP APPLIC-CLEARED
                                                          989-710-0202                    STONP           100.00 AF Jan 01 Dec 31
                                                          GD
                                                          RISKE CREEK BC
                                                          V0L1T0

           Riske Creek                     WR92.O.098        X    Y   REDIVERSION FROM G 93.B.008 ZZ LAKE (37626)             05A CAR - CHILCOTIN
               ZZ Lake ( 37626 )           WR93.B.008        G    N   REDIVERSION AT X 92.O.098 RISKE CREEK

      ------------ Total of 21 Licences Reported ------------
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Stream Register Report      Water Licence Information System
________________________________________________________________

   Report Requested By   : JRGILL
   Date Report Requested : 1995/10/23 09:58
   Report Sorted By      : Source Gazetted - Priority Date - Licence Number
   Selection Criteria
                 START POINT      : PD37784 - 93.B.016 B
                 END POINT        : 8018906 - Rose Lake
```

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Stream Register Report                                  Water Licence Information System
                                                                                                      DATE: 1995/10/23
                                                                                                      TIME: 09:30
                                                                                                      PAGE: 001

Priority   Licence File    Appurtenancy                      Licensee                 PUC       Quantity/Units  Term   Term  Licence Comments            Process Status
YYYY/MM/DD Number  Number                                                                                       Start  End

        Source                     WR Map              POD   RED POD Comments
                                                                                                                        Prec
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------
1986/06/16 Z101766 5000557 STORAGE FOR F20716 & F10207   TOOSEY INDIAN BAND         STONP        600.00 AF Jan 01 Dec 31                        APP APPLIC-CLEARED
                                                         989-710-0202
                                                         GD
                                                         RISKE CREEK BC
                                                         V0L1T0

        Rose Lake                  WR93.B.016            A    N                                                         05D CAR - QUESNEL RIVER

     ------------ Total of 1 Licence Reported ------------
```

Stream Register Report   Water Licence Information System

Report Requested By   : JEGILL
Date Report Requested : 1995/10/23 09:56
Report Sorted By   : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT   : PD37916 - 93B/2(b) D
END POINT   : SO18984 - Taylor Creek right of Mackin Creek

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Stream Register Report                                     Water Licence Information System                                    DATE: 1995/10/23
                                                                                                                                TIME: 09:56
                                                                                                                                PAGE: 001

Priority   Licence File    Appurtenancy                     Licensee                        PUC      Quantity/Units  Term   Term  Licence Comments                Process Status
YYYY/MM/DD Number  Number                                                                                            Start  End

     Source                        WR Map          POD   RED POD Comments                                                    Prec
------------------------------------------------------------------------------------------------------------------------------------------------
1905/05/16 P005402 0242498 154.5 AC OF L 66 & 67 CARIBOO    RISKE CREEK RANCHING CO LTD     DOM         1,000.00 GD Jan 01 Dec 31 STOR AT P 10231 TAYLOR CR & C 49574
                           DIST                             BOX 4480                        IRR           463.50 AF Apr 01 Sep 30 & RISKE CR - CARIBOO/CHILCOTIN - 05A
                                                            WILLIAMS LAKE BC                                                      SUPPLEMENTARY TO P 5403 (0242435) &
                                                            V2G2V5                                                                P5404 RISKE CR(242436) CAR/CHIL 05A

     Taylor Creek                  WR93B/2(b)        D     N   REDIVERSION AT A B 92.0.098 RISKE CR -  CARIBOO/CHILCOTIN - 05A          05D CAR - QUESNEL RIVER
        Riske Creek                WR92.O.098        A     Y   REDIVSERION FROM D 93B/2(B) TAYLOR CREEK - CARIBOO/QUESNEL RIVER - 05D
        Riske Creek                WR92.O.098        B     Y   REDIVERSION FROM D 93B/2(B) TAYLOR CREEK - CARIBOO/QUESNEL RIVER - 05D

1923/04/06 P010231 0045900 STOR FOR P 5402 TAYLOR CR        RISKE CREEK RANCHING CO LTD     STORP         200.00 AF Oct 01 Jun 01 STOR IN RISKE CR, C 93.B.007 - CARIBOO/
                                                            BOX 4480                                                              CHILCOTIN - 05A
                                                            WILLIAMS LAKE BC
                                                            V2G2V5

     Taylor Creek                  WR93B/2(b)        D     N                                                                       05D CAR - QUESNEL RIVER
        Riske Creek                WR93.B.007        C     N   NO DIVERSION OF WATER AT POD - POD IS A POINT OF STORAGE FOR WATER ORIGINATING
                                                               FROM D 93B/2(B) TAYLOR CREEK - CARIBOO/QUESNEL RIVER - 05D

1986/07/04 Z101769 5000559 IR #1 (TOOSEY) LILLOOET DIST     TOOSEY INDIAN BAND              IRR           450.00 AF Apr 01 Sep 30                                       APP APPLIC-CLEARED
                                                            989-710-8202
                                                            GD
                                                            RISKE CREEK BC
                                                            V0L1T0

     Taylor Creek                  WR93B/2(b)        D     N                                                                       05D CAR - QUESNEL RIVER

     ------------ Total of 3 Licences Reported ------------
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Stream Register Report      Water Licence Information System
______________________________________________________________

    Report Requested By   : JRGILL
    Date Report Requested : 1995/10/23 10:57
    Report Sorted By      : Source Gazetted - Priority Date - Licence Number
    Selection Criteria
                 START POINT      : FD37499 - 92.0.098 L
                 END POINT       .: S017394 - Toosey Spring
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Stream Register Report                                      Water Licence Information System                                          DATE: 1995/10/23
                                                                                                                                      TIME: 10:57
                                                                                                                                      PAGE: 001

Priority   Licence File    Appurtenancy                    Licensee                   PUC        Quantity/Units  Term   Term  Licence Comments            Process Status
YYYY/MM/DD Number  Number                                                                                        Start  End

        Source                        WR Map              POD   RED POD Comments                                              Free
-----------------------------------------------------------------------------------------------------------------------------------------------------
1966/06/27 C033640 0270110 IR #1 TOOSEY LILLOOET DIST      TOOSEY INDIAN BAND         DOM          1,000.00 GD Jan 01 Dec 31
                                                           989-718-0283
                                                           GD
                                                           RISKE CREEK BC
                                                           V0L1T0

        Toosey Spring                 WR92.O.098            L     N                                                          05A CAR - CHILCOTIN

    ------------ Total of 1 Licence Reported ------------
```

ATTACHMENT 6

1996/MAY/22 11:04

WELL4600 Production

MINISTRY OF ENVIRONMENT, LANDS & PARKS

Water Rights Information System

Summary Report (with legal descriptions and old coordinates)

Operator Id SPINTO

BCGS Map Area	Well No.	Well Tag No.	Lot No.	Plan No.	Blk No.	TP	SC	RG	D.L.	Z	X	Y	Old Well No.	L.D.	Site Address	Date Constructed (dmy)	Well Depth (ft.)	Well Diam. (in.)	Drill Contr No.	Const. Method	Well Yield	Yld. Unt.	Depth to Water (ft.)	Depth to Bedrk (ft.)	Aquif Litho	Screen Interval (ft.)	G.W. Rpt	Chem Lab	Chem Fld	Chem Site No.
0920.078.4.3.4	001	000000051227							1054	00	00	00	000	29		27-10-1982	205.0	6.0	042	DRI	0.5	USGM	90	11	BED					
0920.079.4.4.3	001	000000041284								00	00	00	000	29		01-01-1979	95.0	6.0	UNK	UNK			32	UNK	UNC					
0920.079.4.4.3	002	000000041280								00	00	00	000	29		01-01-1979	95.0	6.0	UNK	DRI			UNK	77	UNC					
0920.098.1.4.4	001	000000042357								00	00	00	000	29	RAY NANCE'S HOUSE	18-05-1979	263.0	6.0	097	DRI	5.0	GPM	*		UNC					
0920.098.1.4.4	002	000000042371								00	00	00	000	29	STAMPEDE GROUNDS	22-05-1979	100.0	6.0	097	DRI	20.0	GPM	*	UNK	UNC					
0920.098.3.2.2	001	000000019269				50	20			00	00	00	000	29		01-06-1965	118.0	6.0	108	DRI	10.0	GPM	13	UNK	UNC	113-118		Y		
0920.098.3.2.2	002	000000035766				50	20			00	00	00	000	05	SUPPRESSION CAMP	01-10-1976	150.0	6.0	097	DRI	50.0	GPM	65	UNK	UNC					
0920.098.3.2.2	003	000000035768				50	20			00	00	00	000	05	SUPPRESSION CAMP	01-10-1976	300.0	6.0	097	DRI			UNK	78	BED					
0920.098.3.2.3	001	000000023676								00	00	00	000	29		19-06-1970	50.0	6.0	061	UNK	5.0	GPM	27	27	BED					
0920.098.3.2.3	002	000000033643				50	30			00	00	00	000	29		08-10-1975	188.0	4.5	097	DRI	10.0	GPM	60	162	BED					
0920.098.3.2.3	003	000000055175				50	30			00	00	00	000	29	HIGHWAY 20	17-08-1985	122.0	6.0	001	DRI	12.0	GPM	70		UNC					
0920.098.3.2.3	004	000000035767				50	30			00	00	00	000	29	SCHOOL	01-10-1976	120.0	6.0	097	DRI	48.0	GPM	24	UNK	UNC					
0920.098.3.3.1	001	000000056494			B	52	34			00	00	00	000	29	HIGHWAY 20	02-11-1986	60.0	6.0	121	DRI	20.0	GPM			UNC					
0920.099.3.1.4	001	000000036044					29			00	00	00	000	29		16-11-1976	60.0	6.0	042	DRI	5.0	GPM	12	UNK	UNC					
0920.099.4.3.4	001	000000026651		18003					7566	00	00	00	000	05	CHILCOTIN RD	24-07-1972	106.0	5.0	350	DRI	800.0	GPM	90	UNK	UNC					

------------ END OF REPORT WELL4600 ------------

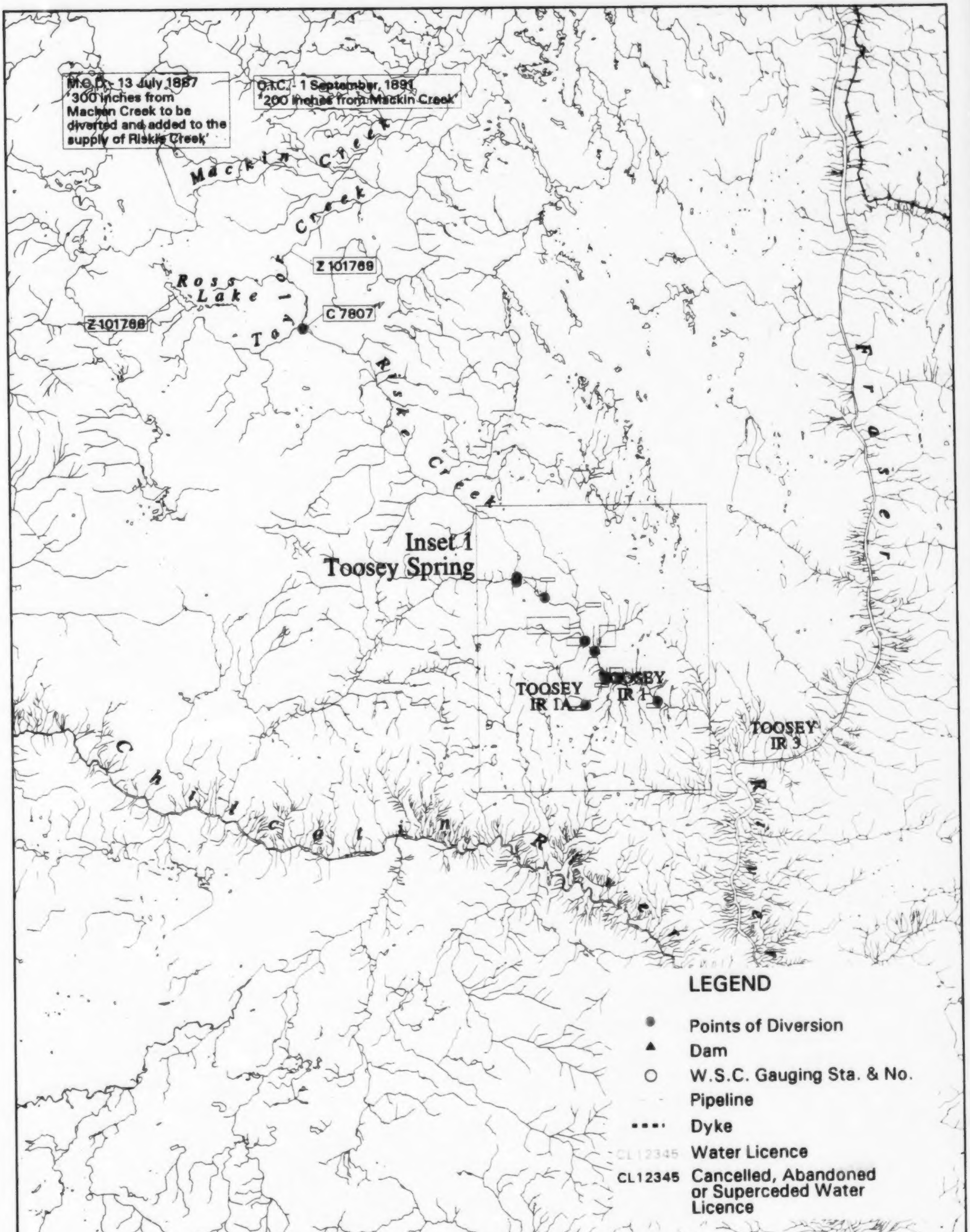
ATTACHMENT 7

SCHEDULE of Indian Reserves in the Dominion—*Continued.*

BRITISH COLUMBIA—WILLIAMS LAKE AGENCY—*Concluded.*

No.	Name.	Where Situated.	Tribe or band.	Area, Acres.	Remarks.
2	Deep Creek	Cariboo district, east of the 168-mile post on the Cariboo wagon road.	Soda Creek	4,120·00	100 inches of water recorded from 170-mile creek. Allotted by Commissioner O'Reilly, June 20, 1881. Surveyed, 1894. Approved, April 23, 1896.
1		Cariboo district, on the south bank of Chilcoten river about 2½ miles west of Hanceville.	Stone	3,925·00	100 inches of water recorded from Menton creek.
2	Meadow reserve	Cariboo district, about eight miles southeast of reserve No. 1.	"	320·00	Includes a grave-yard on the trail from Hanceville to Anaham Flat. The privilege of fishing in the Chilcoten river from a point one and a half miles below Hanceville down stream for one mile. Allotted by Commissioner O'Reilly, July 11, 1887. Surveyed, 1894. Approved, April 23, 1895.
1	Toosey	Cariboo district, on Riskie creek, one mile west of lot 66, group 1, in the sub-district of Chilcoten.	Toosey	5,780·00	100 inches of water recorded from Riskie creek; 200 inches of water recorded from Mackin creek. Allotted by Commissioner O'Reilly, July 13, 1887. Surveyed, 1894. Approved, April 23, 1895.
2	Meadow reserve	Cariboo district, about five miles northwest of the Indian village, on reserve No. 1.	"	560·00	
3		Cariboo district, about two miles above the mouth of Riskie creek on the right bank of Fraser river.	"	12·25	
1	Williams Lake	Cariboo district, east of the head or eastern end of Williams lake.	Williams Lake	4,074·00	1,464 acres of this reserve were purchased by the Dominion government from the 'Bates' Estate on March 5, 1881, for the use of the Indians.
2		Cariboo district, one and three-eighth miles north of reserve No. 1.	"	120·00	This reserve includes a lake made by the Indians to obtain a water supply.
3	Meadow reserve	Cariboo district, two miles northeast of reserve No. 2.	"	180·00	
4	Fishery "	Cariboo district, on the left bank of Fraser river, at the confluence of San José creek.	"	0·25	
5	" "	Cariboo district, on the left bank of Fraser river at the confluence of Chimney creek.	"	56·00	
6	"	Cariboo district, at the foot of Williams lake, one quarter of a mile from the effluence of San José river.	"	0·50	
7	Grave-yard	Cariboo district, on the right bank of Chimney creek, on the property of Mr. Isnardy.	"	0·14	
8	"	Cariboo district, on the road from Williams lake to Soda creek and on the land owned by Mr. Pinchbeck.	"	0·25	Reserves Nos. 1—14, allotted by Commissioner O'Reilly, July 16, 1881. Surveyed, 1883. Approved June 4, 1884.

ATTACHMENT 8



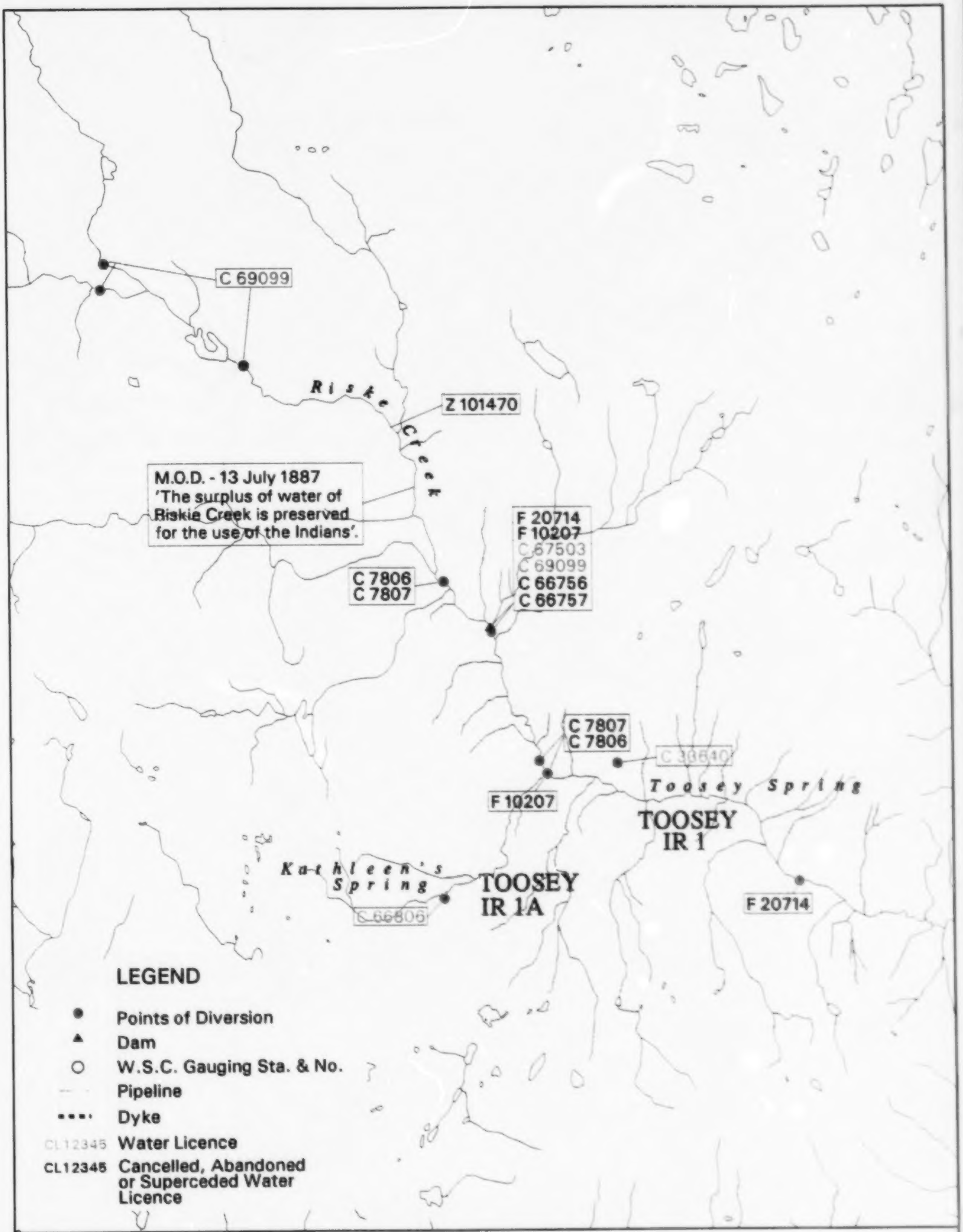
Toosey

Scale 1:300,000

Ministry of Environment, Lands & Parks

Date: March 13, 2000

Environment & Lands Division



Toosey Spring

Scale 1:60,000

Ministry of Environment, Lands & Parks | Date: March 09, 2000 | Environment & Lands Division